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Legislative Assembly of Ontario

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 15 February 2006

Mercredi 15 février 2006



Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 15 février 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HOSPITAL LABORATORY SERVICES

Mr. Norman W. Sterling (Lanark–Carleton): There is a serious situation that could negatively affect health care for many of my constituents living in the small town of Perth, and in many smaller eastern Ontario communities like Napanee. Since 1997, the Perth and Smiths Falls District Hospital and Hospitals In-Common Laboratories have combined into a successful partnership. It is a pilot project that has provided the community with the best laboratory services possible with available resources, allowing residents to receive accurate and timely lab services in their own community.

At the beginning, 75,000 tests were performed by nine doctors. Now eight other doctors have joined up and 140,000 tests are done annually. The problem is that Ministry of Health and Long-Term Care has not recognized this increase in workload and not one cent of additional funding has been given to the hospital for this service in 11 years. Without an adjustment to funding, I understand that this particular service will cease on June 1 of this year, not only in Perth but in many other small communities across Ontario.

By all accounts, this partnership has been very beneficial not only for patients but for the hospital, community doctors and the community as a whole. My constituents feel that they rely on this lab. Those who are elderly need this service close to home. Today I call on the Minister of Health to provide the necessary funds to ensure that the people of Perth and other small towns in Ontario continue to benefit from this partnership.

GREAT SKATE

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to bring everyone's attention to a wonderful event that will take place in Ottawa and throughout the province this weekend. On Sunday, February 19, the Canadian Tire Foundation for Families will host Canada's biggest skating party, the Great Skate, in celebration of physical activity. The Canadian Tire Foundation for Families has been involved in promoting healthy lifestyles across Ontario. In February 2005 they launched

the Canadian Tire JumpStart, a charitable program that aids children in financial need to participate in organized sports and recreation. Since the program was launched, Canadian Tire has helped give more than 21,000 kids a sporting chance, and plans to help 25,000 children in 2006. In order to promote physical activity in children, Canadian Tire has also launched the Great Skate event to encourage a day of healthy outdoor activity for children and their families.

Skaters who are interested in registering for this event may do so in the store, by phone or on the Canadian Tire website. Participants are invited to make a voluntary donation, and Canadian Tire will match every donation dollar up to \$500,000. The proceeds will go to Canadian Tire JumpStart to help support the program and to extend its scope for children in need.

I encourage all Ontarians to come out and participate in this Sunday's event, support Canadian Tire's initiative and promote healthy, active lifestyles in children and adults alike. Lace up your skates and join Minister Watson and all the Ottawa MPs on the Rideau Canal this Sunday. And, yes, there is ice on the Rideau Canal.

FREDERICK BANTING HOMESTEAD

Mr. Jim Wilson (Simcoe–Grey): I rise today to renew my call to the McGuinty government and the Minister of Culture to help save Sir Frederick Banting's homestead in Alliston, in the town of New Tecumseth.

As I've explained to this House before, Edward Banting, the last owner of the homestead, bequeathed the property to the Ontario Historical Society in 1999 on the understanding that they would preserve and maintain it for the benefit of all Canadians. Unfortunately, they have failed to live up to that agreement and the home has been allowed to fall into ruin over the last six years. It's time to repair the damage that six years of carelessness have caused, and it's time to restore those buildings and protect them and the property from potential vandalism and further wearing away.

Recently, the Minister of Culture was in New Tecumseth, just a couple of kilometres away from the Sir Frederick Banting homestead, and she told the local papers there that she hoped the parties involved would keep talking.

Once again, I want to remind the minister just how ill-informed she is and how indifferent she seems to this important issue. The parties, as I've reminded her in this House many times, haven't spoken for over a year now,

in fact for 14 months, yet she keeps telling the media locally, nationally and provincially that the parties are constantly meeting. They're not meeting at all. In fact, while she waits for this issue to get resolved, she should know that the roof has now caved in on the main home and the octagonal drive shed won't last much longer. So again I renew my effort.

Minister, please protect Ontario's culture, please protect this national historic site, and do what you can to make sure the parties do come together and save Sir Frederick Banting's homestead.

TENANT PROTECTION

Mr. Rosario Marchese (Trinity-Spadina): The Tenant Protection Act needs to be replaced.

In 2003, Mr. McGuinty promised "real protection for tenants at all times." Two years later, you still experience above-guideline rent increases based on utility costs. Apartments throughout the city remain in disrepair and landlords still raise the rent by charging tenants the cost of repairs and upkeep year after year.

In a letter sent to the Federation of Metro Tenants' Associations in 2003 by Monsieur McGuinty, he says, "We will repeal the Harris-Eves government's Tenant Protection Act and we will bring back real rent control that protects tenants from excessive rent increases. We will get rid of vacancy decontrol which allows unlimited rent increases on a unit when a tenant leaves." He adds that they will implement "other legislative changes, such as costs-no-longer-borne provisions to provincial tenant law." Two years and some odd months later, nothing has happened. John Gerretsen, Ontario's housing minister, has said that a new law is needed to replace the Tenant Protection Act with fair and effective tenant and landlord protection. Two years and some odd months later, close to the end of their mandate, they have done little.

I invite those tenants who are interested in making sure the Liberals keep their promise to go and voice their concerns and press Liberals by going to city hall on Thursday, March 9. The meeting is at 7 p.m.

1340

BUSINESS EXECUTIVES ORGANIZATION

Ms. Judy Marsales (Hamilton West): I am very proud to rise today and welcome the Business Executives Organization to Queen's Park. The BEO is celebrating its 20th anniversary this year, having originated in 1986, by a group of local Hamilton business owners who believed that sharing opportunities would help each of them grow and prosper. Each company is stronger by the support and mentoring of one another.

The BEO is made up of leaders from across the spectrum of business: retail, manufacturing and service. They meet weekly with the express purpose of increasing business opportunity and building a stronger, connected community. These business leaders are often the foun-

dation of many charities and represent the essence of our great city. They're hard working, dedicated and work with integrity.

While time does not allow me to introduce them all by name, I would like to acknowledge Mr. Art Adams, honorary colonel and founder of the Credit Bureau of Southern Ontario; Mr. Ralph Hayman, from one of Hamilton's oldest law firms, celebrating its 150th year in business; Mr. Dale McDonald, from the respected Ira McDonald Construction; and from a great family business, Mr. Hank Gelderman, representing Jan Gelderman Landscaping. There are so many more, as you can see in the two galleries.

I am honoured to have been a past president of this fine organization. I wish them all continued success, and thank you for coming to Queen's Park today.

FARM INCOME

Mr. Toby Barrett (Haldimand-Norfolk-Brant): Yesterday, tractors, tractor-trailers, farmers and media converged on Guelph for what I count as the seventh large farm protest in the last 12 months, a protest to get this government to deal with the farm income crisis.

These agribusiness people don't want to have to keep doing this. Their humiliation has now turned to anger. Lots of signs: "Farmers Feed Cities," and one painted on both sides of a huge tanker truck, "Equity with US Farmers." US farmers receive \$123 an acre for their corn. I talked to a farmer yesterday; he gets \$7. How do you compete on the Chicago market? It's like sending David against Goliath without a slingshot. US farmers have had their best three years in 2003 to 2005. Ontario farmers have had their worst three years.

We've now had, as members opposite will know, two federal government announcements of assistance; nothing from Ontario. The line in the sand grows deeper each day this government fails to act. Yesterday, farmers laid out an ultimatum. They want a risk management program by March 9.

Nearly all sectors are in crisis: obviously cash crop, beef, tobacco, horticulture, cull-cow, dairy heifers, deer and elk, even beekeepers. Another sign at the rally: "Our governments are only good at three things: study, stall, study." Step up to the plate before it's too late.

POLICE ANTI-DRUG LABORATORY

Mr. John Wilkinson (Perth-Middlesex): Last Thursday, I had the honour of joining my colleague the Honourable Monte Kwinter, Minister of Community Safety and Correctional Services, for the opening of the new replica clandestine drug lab at the Ontario Police College in Aylmer. It is the result of our government's \$230,000 investment to both build and equip the replica drug lab.

The new training facility includes both a realistic marijuana grow operation and a kitchen-based crystal methamphetamine lab. It will be used by instructors at

our world-class police college to help both new recruits and experienced officers learn to identify and safely deal with these extremely dangerous illegal drug operations. This lab will give police officers valuable skills in their fight against the scourge of illegal drugs and the violence that inevitably accompanies it.

This announcement is particularly welcome news in my riding of Perth—Middlesex, where crystal meth is a troubling problem for Perth county. Many of the 17 meth lab busts in the province over the last two years have been in Perth county, due to the hard work of our brave police officers.

I applaud the McGuinty government for intensifying the fight by bringing additional training and resources to bear for our front-line police officers. This is in addition to the crystal meth working group already created by Minister Kwinter in June 2005, which has been tasked with determining the extent of the problem in Ontario and recommending ways the provincial government can assist communities.

Locally, I want to thank all of our many community leaders, including our mayors, who have come together with one common vision: to make Perth county a meth-free zone.

OMERS PENSION FUND

Mr. David Oraziotti (Sault Ste. Marie): I rise in the House today to acknowledge the work that police officers and firefighters do every day. This is a group of people who, day in and day out, selflessly put their lives in danger to protect the public. When a firefighter runs into a burning building while everyone else is running out, they have unique job challenges. When a police officer places his or her life on the line to keep our communities safe, they have unique job challenges.

The McGuinty government is recognizing their selflessness. We are allowing police officers and firefighters to negotiate supplemental benefits to the OMERS pension plan that they belong to. We are doing this to ensure that the people who ensure public safety have a greater chance to retire in good health.

Unfortunately, the changes we are making have been subject to a campaign of misinformation and fearmongering, so I'd like to take this opportunity to set the record straight. These supplemental benefits will be paid for on a 50-50 basis by the people who will benefit from them and the municipalities they work for. No one else in any other bargaining group will have to put in a dime. That concept is enshrined in legislation. It is inaccurate for AMO to suggest they will have to increase municipal taxes, as municipalities and their local bargaining groups will negotiate contract details, as they have always done. Bill 206 does not give pay increases to any group, as these are negotiated items.

Devolving the OMERS plan has been discussed for more than 10 years by every government, and transferring control to those who pay into it is the right thing to do. I'm proud to be part of a government that's willing

to recognize the sacrifices made by public safety workers. I'm also proud to say that we've done this in a fair way to all members.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Khalil Ramal (London—Fanshawe): I rise to share some thoughts on the progress that has been made on local health integration networks. While reviewing this legislation in committee, I came to appreciate first-hand the essential role LHINs will play in reshaping health care in our province. This government inherited a health care system that had been abused and neglected for 12 years. The Tory hit list included hospitals, nurses, doctors and more. We knew the progress we had to deliver would involve a fundamentally different approach.

As the minister said in committee, LHINs represent a radical change in the way health care is administered in Ontario. We are taking decision-making power away from Queen's Park and putting it in our communities, because that is where health care decisions should be made: on the ground, by the people affected. This is not just a cosmetic change: We want to give LHINs control of more than half of our health care budget—that's over \$21 billion.

LHINs help ensure that local health priorities are addressed in a transparent, accountable public forum. The health care needs of Ontarians are not necessarily the same in Toronto as they are in Thunder Bay. Local communities and local health experts need real control over their local health care priorities, and that's what LHINs are all about.

This kind of radical change is not easy, but it is necessary. LHINs are an essential part of our plan for Ontario: transparent, efficient public health care.

VISITORS

Hon. Michael Bryant (Attorney General): On a point of order, Mr. Speaker: We have some special guests in the Speaker's gallery, and by Speaker's injunction, I am introducing them. The Learning Partnership and Canadian Association of Principals are sponsoring a multi-day gathering of Canada's outstanding principals. That's 30 principals from across the country, representing every province and territory, obviously including a number of principals from Ontario.

Interjection: Do you know any?

Hon. Mr. Bryant: You will recognize them, I say to the MPPs in the room. I'm not going to recognize all 30 of them, but I am going to recognize one of them. She's the principal for George Jay, name of Janine Roy. She's an outstanding principal and she's my sister.

The Deputy Speaker (Mr. Bruce Crozier): That's not a point of order, but nonetheless, we welcome you.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
SOCIAL POLICY

Mr. Mario G. Racco (Thornhill): I beg leave to present a report from the standing committee on social policy and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill, as amended:

Bill 36, An Act to provide for the integration of the local system for the delivery of health services / *Projet de loi 36, Loi prévoyant l'intégration du système local de prestation des services de santé.*

The Deputy Speaker (Mr. Bruce Crozier): Shall the report be received and adopted?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1351 to 1356.

The Deputy Speaker: All those in favour will please stand one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Bradley, James J.
Broten, Laurel C.
Brownell, Jim
Bryant, Michael
Cansfield, Donna H.
Caplan, David
Chambers, Mary Anne V.
Colle, Mike
Cordiano, Joseph
Craitor, Kim
Delaney, Bob
Dhillon, Vic
Di Cocco, Caroline
Dombrowsky, Leona

Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel
Gerretsen, John
Hoy, Pat
Jeffrey, Linda
Kwinter, Monte
Leal, Jeff
Levac, Dave
Marsales, Judy
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Mossop, Jennifer F.
Oraziotti, David
Peters, Steve
Phillips, Gerry

Pupatello, Sandra
Qaadri, Shafiq
Racco, Mario G.
Ramal, Khalil
Ramsay, David
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smitherman, George
Sorbara, Gregory S.
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wong, Tony C.
Wynne, Kathleen O.
Zimmer, David

The Deputy Speaker: All those who are opposed, please stand and be recognized by the Clerk.

Ayes

Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Hardeman, Ernie
Horwath, Andrea
Klees, Frank
Marchese, Rosario

Martel, Shelley
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John
Prue, Michael
Runciman, Robert W.

Sterling, Norman W.
Tory, John
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 55; the nays are 19.

The Deputy Speaker: I declare the motion carried.

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON
JUSTICE POLICY

Mr. Shafiq Qaadri (Etobicoke North): I beg leave to present a report from the standing committee on justice policy and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill, as amended:

Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act / *Projet de loi 21, Loi édictant la Loi de 2005 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.*

The Deputy Speaker (Mr. Bruce Crozier): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

The Deputy Speaker (Mr. Bruce Crozier): I beg to inform the House that today the Clerk received the report on intended appointments dated February 15, 2006, of the standing committee on government agencies.

Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

LAND RIGHTS AND
RESPONSIBILITIES ACT, 2006
LOI DE 2006 SUR LES DROITS
ET RESPONSABILITÉS EN MATIÈRE
DE BIENS-FONDS

Mr. Barrett moved first reading of the following bill:

Bill 57, An Act to amend the Expropriations Act and the Human Rights Code with respect to land rights and responsibilities / *Projet de loi 57, Loi modifiant la Loi sur l'expropriation et le Code des droits de la personne en ce qui a trait aux droits et responsabilités en matière de biens-fonds.*

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Mr. Barrett, would you like to make a few comments?

1400

Mr. Toby Barrett (Haldimand-Norfolk-Brant): This bill does amend the Expropriations Act and the Human Rights Code to enhance the protection that Ontario law gives to owners of land and persons with

respect to their homes. Under the Expropriations Act, an inquiry officer, on inquiry, is required to consider the merits of the objectives of the expropriating authority and to add, as parties to an expropriation inquiry, the owners of all lands affected by the expropriation. The decision of an approving authority is subject to judicial review. The amendments to the Human Rights Code recognize, subject to specific limitations in law, the right to peaceful enjoyment of one's land, the moral responsibility to maintain it, and the right to freedom from search of one's property and home and from seizure of anything from it. Those rights have long been recognized in common law, but are largely missing from the Canadian Charter of Rights and Freedoms.

CONSUMER PROTECTION
AMENDMENT ACT (INTERNET
GAMING ADVERTISING), 2006

LOI DE 2006 MODIFIANT LA LOI SUR LA
PROTECTION DU CONSOMMATEUR
(PUBLICITÉ DES JEUX SUR INTERNET)

Mr. Leal moved first reading of the following bill:

Bill 60, An Act to amend the Consumer Protection Act, 2002 to regulate the promotion and advertising of Internet gaming in Ontario / Projet de loi 60, Loi modifiant la Loi de 2002 sur la protection du consommateur afin de réglementer la promotion des jeux sur Internet en Ontario et la publicité qui en est faite.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Mr. Leal—a few comments?

Mr. Jeff Leal (Peterborough): The purpose of the bill is to prohibit the advertising of website addresses of Internet gaming businesses unless the person doing the advertising believes, in good faith, that the Internet gaming business has been properly authorized to operate and has in effect operated in accordance with Ontario and Canadian law.

VISITORS

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: I want to welcome to the Legislative Assembly page Bourgeois's parents, Bernie and Ann Bourgeois; his sister, Rebecca Bourgeois; and his grandparents, John and Marjorie Carter.

The Deputy Speaker (Mr. Bruce Crozier): It's not a point of order, but certainly we welcome you.

MOTIONS

COMMITTEE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe we have unanimous consent to move a

motion without notice regarding the standing committee on finance and economic affairs.

The Deputy Speaker (Mr. Bruce Crozier): The government House leader has asked for unanimous consent that a motion be introduced without notice regarding the standing committee on finance and economic affairs. Agreed? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the following committee be authorized to meet as follows:

The standing committee on finance and economic affairs on Monday, February 20, and Tuesday, February 21, 2006, at the call of the Chair to no later than 6 p.m.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY
AND RESPONSES

UNIVERSITY RESEARCH
AND INNOVATION

RECHERCHE ET INNOVATION
DANS LES UNIVERSITÉS

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): We know that communities that invest in innovation, invest in the creativity of people and market their ideas most effectively will become home to the most rewarding jobs, to the strongest economies and to the best quality of life. We know that when we can infuse innovation into all aspects of our society, we will see more highly skilled people working in a more robust and productive economy. It means better jobs for more people.

Le premier ministre McGuinty, qui fait aussi fonction de ministre de la Recherche et de l'Innovation, a indiqué que notre gouvernement élaborera une stratégie à long terme en matière de recherche et d'innovation pour nous aider à réaliser notre objectif d'assurer le succès d'un plus grand nombre de personnes.

The Premier aims to build an Ontario where creativity is sustained, ingrained and developed in every sector and as part of everyone's job description. Our government's goal is to foster a culture of innovation.

One of the cornerstones of innovation is research. Investment in innovative, high-calibre research helps to increase economic productivity and will unlock the potential that is essential to our province's future.

Today, I am pleased to tell this House that we have taken another step to strengthen Ontario's economic advantage and create a culture of innovation in this province. Our government will establish eight new research chairs at six universities. Each of the areas to be researched is critical to the future health and success of our province.

The universities that have been selected to receive endowments and the areas of research are: McMaster University, one chair in education policy and at-risk students; Queen's University, one chair in bioethics; University of Toronto, three chairs—one in post-secondary education policy and measurement, one in health policy and system design, and one in biomarkers in disease management; University of Waterloo, one chair in environmental policy and renewable energy; University of Windsor, one chair in urban policy; and York University, one chair in economics and cross-cultural studies.

With this announcement, we are both increasing the number of leading-edge researchers at our universities and ensuring that the next generation of graduate students has the skills to help find innovative solutions to problems that affect all of us.

In last year's budget, our government provided \$25 million to create new Ontario research chairs at universities across the province. We asked the Council of Ontario Universities to partner with us and oversee this project. The council established a selection panel that developed criteria and made the decisions on which universities would receive the endowments. The panel was chaired by David Strangway, the former president and CEO of the Canada Foundation for Innovation and past president and vice-chancellor of the University of British Columbia. I want to thank Dr. Strangway and his panel for their exceptional work, and I want to thank the Council of Ontario Universities for partnering with us on this important initiative.

The universities that have received the endowments are now seeking out distinguished researchers to fill the chairs. Each of the Ontario research chairs will be held by an outstanding researcher acknowledged by peers as a world leader in their field. The endowment for the research chairs is part of Reaching Higher, the McGuinty government plan for post-secondary education. Through the plan, the government will invest \$6.2 billion more in post-secondary education and training by 2009-10, the single largest infusion of funds in the sector in 40 years.

Part of that plan is to support today's research and to prepare for innovation in the coming years by supporting more students to continue on in their studies as graduate students. These are the people who are the researchers of the future. You will be hearing more about our plans for increasing the number of graduate students in Ontario universities in the future.

Our government is committed to research and innovation that will lead to exciting new products, policies and services, which will in turn create wealth, raise our standard of living and enhance our shared quality of life. That means more opportunities for more Ontarians to build a better life for themselves and their families to reach their full potential.

1410

The Deputy Speaker (Mr. Bruce Crozier): Response?

Mr. John O'Toole (Durham): I applaud the minister's announcement today. I also want to thank the dis-

tinguished panel: Dr. Strangway, Dr. Art May, Judith Maxwell, Harold Shapiro and Harry Swain for the work they've done. There were, I believe, 37 proposals, of which there were eight awards, and six universities participated. Clearly, there's more to be done.

In the minister's remarks he commented on creating a culture of innovation. Innovation, as we all know, creates opportunities for people. Building the human infrastructure in our universities and our economy is critical to our economy and our way of life. I might say for the record that it's important to recognize that creating this culture of innovation started when we were in government by the creation of the first Ministry of Enterprise, Opportunity and Innovation.

For the record, it's important to note some of the contributions made by the academic researchers already today. We started the Cancer Research Institute of Ontario in 2003 with a \$1-billion commitment; the biotech commercialization centre fund; MaRS—that's the Medical and Related Sciences discovery district—was announced by our government in February 2002; the biotech cluster innovation; also the Centre of Excellence for Electricity and Alternative Energy Technology.

Clearly you're building on the work that was started by our government. In that aspect, I contribute a complement to the work that you're continuing.

Building innovation was started with the Ontario Innovation Trust, which is a \$1-billion fund. The Ontario Research and Development Challenge Fund: \$1.25 billion to date.

There is clearly more work to be done, but I think it's important to link prosperity to having the culture of innovation and also incenting a competitive economy.

This comes to mind when you look at the economy today. I think there's more work to be done. Certainly I look to the University of Waterloo. They can work with our Minister of Energy today. There seem to be, in my view, very few plans. They need more help from the research group at the University of Waterloo looking at renewable energies. I would encourage the minister to work with them on that file.

But on many fronts, this competitiveness starts with the government itself. The innovation in health care that's required started with their increasing the tax on health care in this province—over \$2 billion.

I commend building a strong economy, building a strong culture, building a strong quality of life—the quality of life we've come to expect and have seen little of from this government. For today's announcement, I think what it means to me is that students and researchers in our universities will have the resources they need, the encouragement they need, and clearly there's more to be done.

At the same time, in the limited time I have left, I've met with the University of Ontario Institute of Technology, which is Canada's newest university. They are the first university in Canada to have a department directed toward nuclear engineering. In fact, they've just received a Premier's Research Excellence Award in fuel

cell technology. I was pleased to attend and show respect to that academic community for the great work they're doing.

I know that this party, under our leadership of John Tory, will keep a close eye and a close watch on the investments this government makes to keep Ontario competitive and our economy prosperous so we can sustain the quality of life that we all expect and deserve.

Mr. Rosario Marchese (Trinity-Spadina): New Democrats want to acknowledge that the creation of eight new research chairs is a positive development. We also note that there's general support in society and acknowledgement by the business sector that investing in research and innovation is key to our ability as a province and as a country to be able to be competitive with other countries in the world.

When this announcement was made last September, I had a criticism of it that I don't believe has been corrected. The criticism of this announcement was that Ontario academics could not apply for these positions as research chairs. Requests for proposals issued to universities indicated that people coded by the universities for those jobs "must not currently be working in an Ontario university." We believe this is disgraceful. Having noted the criticism, I have not seen Monsieur Bentley deal with that criticism. In fact, Michael Doucet, president of the Ontario Confederation of University Faculty Associations, said that the restriction could be seen as a backhanded swat at home-grown academics. Rosario Marchese of the NDP says it is a backhanded swat at home-grown academics. It offends all of Ontario academics and researchers. It suggests, and not so subtly, that our own Ontario academics and researchers are neither eligible nor brilliant. I suggest to you that this is an egregious error that the minister is clearly aware of, and he hasn't made any effort to correct it. I point this out because it merits repetition.

I also want to raise another objection, a concern and a worry that has been raised as well by the Ontario Confederation of University Faculty Associations, which says:

"Ontario academics are also concerned about provincial government funding for basic research, which dropped from 20% to 15% over the last decade. The Premier's enthusiasm to fund commercialized research, while welcome, raises new concerns that funding will be diverted from basic research in the social sciences and humanities—both of which are critical to the economic and social development of our province. There needs to be a comprehensive and balanced approach to provincial research support, including the need to fund both basic and applied research in the sciences, social sciences and humanities."

If there are ministers on the other side who believe that this is not true, they could prove it by making announcements that deal with the concerns that OCUFA and I are raising here today.

The third point I want to raise is that the government says they will be spending \$6.2 billion by 2009-10. I

raise this as a concern, and I raise it each time it comes up, because so far the government has spent little or next to nothing based on the promises they have made and the announcements they made last year. As of today, based on all indicators, we are last when it comes to the contribution of government to our post-secondary institutions for universities and colleges. It speaks badly of this Liberal government unless they address it. We still remain last on all indicators. I urge the ministers who are smiling on the other side or who perhaps don't want to believe that this is the case to do a little research of their own or maybe consult Monsieur Bentley as a way of correcting this problem. I suggest to you it's a big problem.

They're coming near the end of their third year, and very little money has flowed to our universities. We're coming to the end of this regime where they are about to retire and/or be retired, and we will have seen very little or no money come to the university sector. I suggest to you that you'd better deliver some money quick and you'd better deliver some money by the end of your mandate, so people can say, "Finally, after four years the Liberal government produces some kind of financial contribution that makes our universities and colleges competitive across Canada and the world."

Monsieur Bentley, I await for your promises to come through within your mandate. Can't wait. Thank you.

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ORAL QUESTIONS

LOCAL HEALTH INTEGRATION NETWORKS

Mr. John Tory (Leader of the Opposition): My question is for the Premier. I hope you've had an opportunity to read Bill 36, the LHIN legislation. Can you explain to us why you thought it was necessary to significantly expand the power your minister has to close or amalgamate hospitals without any oversight or limitation? You have said, and your minister has said, that this bill is all about expanding power at the local level and giving people more local responsibility. Why does he need expanded power to close hospitals without anyone else involved?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to take the question. I know that the Minister of Health is eager to get in on this as well.

Interjections.

Hon. Mr. McGuinty: He'll bat cleanup.

I do want to say that we are eager to move forward with this legislation. It's based on the premise that the most important place in which we can make those decisions connected to health care in the community is at the community level. We just don't believe we can micromanage all those things that go into delivering good-quality health care from downtown Toronto, here at Queen's Park.

We have 154 hospitals, 581 long-term-care homes, 42 community care access centres, 37 public health units, 55 community health centres, 16 district health councils and so on and so forth. There are over 1,200 health organizations that aren't talking to each other. We're changing that. We're bringing them together and asking people in the community to make those decisions.

Mr. Tory: You are absolutely not making that decision the responsibility of local people. In fact, what you have done is taken a situation where, since 1999, the minister has only had the power to issue orders to close or amalgamate hospitals that had previously been given a direction, and you are now, in sections 28 and 29 of this bill, allowing the minister to close hospitals without a hearing, without cabinet approval, with no consultation except with his hand-picked people on these LHINs, whom he appointed. So you are in fact centralizing the responsibility and giving the power to close those hospitals to the minister where he doesn't have that today. So I ask you, why have you done this? Why have you in fact centralized that power with the minister and removed the public interest test that existed before? Why have you done that?

Hon. Mr. McGuinty: Just so we can be clear on this and so Ontarians have the benefit of a clear contrast, under their watch, the previous Conservative government cut \$557 million from hospitals over two years and closed 28 hospitals. What this Minister of Health has done for the first time ever is put in place multi-year funding to ensure our hospitals are fully aware of the strength of their ongoing existence and of our continuing commitment to them.

LHINs are all about acknowledging that we have every confidence in the people of Ontario to assist when it comes to making important decisions that will improve the quality of care delivered by them, to them in their communities.

Mr. Tory: If you were giving the power to local people to make those decisions and if you weren't intending to close any hospitals or amalgamate them, why would you give this minister or any minister under this bill the power to close or amalgamate hospitals, a power that minister has not had since 1999? Why would you do that?

Furthermore, why would you give your own cabinet the power to remove and shut down services in hospitals in secret, without any consultation with anybody whatsoever, under this bill? If you've read it, that is exactly what this bill does. Check it out: Sections 28, 29 and 33 give your minister the power to close hospitals and give your cabinet the power to remove services from hospitals without consultation and without hearing. Why do you feel it necessary to do that if you really believe local people should be making these decisions?

Hon. Mr. McGuinty: To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I'd like to point out to the honourable member, which has been well said by my leader, the Premier, that there are parties in this Legislature that

have a record of closing hospitals willy-nilly, and you're leading the party that has been principally associated with it.

Interjection.

Hon. Mr. Smitherman: The honourable member who was the longest-serving Minister of Health in the previous government wants to talk now about her record, but the record is very, very clear: In communities across the province stand relics of buildings that once stood as important service providers. That is their legacy; it is not ours. Our commitment to hospitals has been clear. Multi-year funding has been established.

With respect to the powers that were in the Public Hospitals Act, which have been extrapolated into this bill, due process has been added and public interest concerns remain paramount. What we seek to do in this piece of legislation is affirm our important accountability to the people of Ontario for the stewardship of the health care system and delegate significant powers to the people in local communities, who are better able to exercise those important decisions about what priorities must be supported in a circumstance where resources will always be more scarce—

The Deputy Speaker: Thank you. New question?

Mr. Tory: You make all the decisions under this bill, and you know it. You just have to consult them on the people you appointed.

My question is to the Minister of Health. Could you please explain why, in the period of the fall of 2005, without even knowing what you've blown since then, you spent more than \$2 million in health tax money on furniture and design alone for the swanky offices your LHIN bureaucracy is going to occupy? Can you tell us why you couldn't have used some of the old furniture you had when you closed down the district health councils at a cost of more than \$100 million and used this \$2 million instead to hire dozens of nurses that you could have hired, as the taxpayers would expect?

Hon. Mr. Smitherman: In part measure, I would have expected the honourable member to stand in his place and repeat one more time what he has fondly said so often, that this is just another layer of bureaucracy. Now it's very clear to people across the province that, in a sensible fashion for once, we've brought together the powers and the responsibility for policy, planning and decision-making and put them under one roof. We've said that those people from local communities who will make those decisions will make them in full public eye, at public meetings open to citizens and patients of Ontario.

With respect to the very excellent suggestion that the honourable member makes, that as we equip new offices to do their work we take advantage of existing furniture and existing contracts associated with things like fax machines, printers and copiers, we have done exactly that. We have sought to make sure that any expenditure and asset of district health councils was put to work as we brought these new offices to life and these new responsibilities and opportunities for patients to life.

Mr. Tory: With respect, what complete rubbish. If you weren't hiring a lot more people, then why do you need to spend \$2 million more on new furniture and new design for these offices—and that's just in the first few months.

Still under your LHIN bill, why, I ask the minister, can you, by ministerial order, transfer property to a hospital which donors have given to another hospital—no hearing, no cabinet oversight and no involvement by the courts, as is the case in other provinces. You could just decide that an MRI machine given by Mrs. Smith to the hospital in Belleville be transferred to London—no hearing, no oversight by anybody. You could decide \$1 million given to a hospital in London could be transferred to Toronto. People want to support their hospitals locally and make sure the money stays there. Why do you want, need and insist on putting in this bill the power to transfer those donations, at will, any time you want, with no supervision and no oversight? Why do you want to do that?

Hon. Mr. Smitherman: The answer to the honourable member, if he would apply a practical test, is a very simple one: If a decision was made at a point in time in the future where two services currently operating came together as one, what would be the reasonable sense in leaving behind a piece of equipment that no longer had an operational role? This is the suggestion that the honourable member makes.

There will be circumstances, and there have been circumstances, in the Ontario health care system where there has been an evolution in the roles of hospitals and the services provided. I know this rather well as the person who had the privilege of running the Staying Alive campaign at the Wellesley Hospital. We sought and we fought to keep that hospital alive, but when that was no longer the case, the taxpayers of Ontario were asked again to pay for assets that they had already played a role in paying for. They double-paid for assets that were important in terms of being able to provide the services that St. Michael's Hospital had the obligation to provide. This is a mechanism that takes advantage of the considerable opportunities that are there to make sure that the donations made in good heart by the people of Ontario can continue to serve the patients of Ontario.

Mr. Tory: If you know what you know about raising money—and you know that I know the same about raising money for hospitals—then why wouldn't you have put in this section either a requirement that maybe the poor old donor who gave the money could be consulted as to what happens with the property, or a requirement, as is the case in other provinces, that it go to court for some kind of court approval. You know, as I do, that people are going to stop giving if they think any Minister of Health—starting with you, because you're the one who's giving yourself this power—can simply take their donation and transfer it somewhere else, perhaps even out of their local community. Why, if you have raised this money before, as I know you have and as I have, would you not take that into account and put

some safeguards in here that will allow donors to continue to give with the confidence that the money will stay where they gave it?

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Hon. Mr. Smitherman: The very safeguard that the honourable member asks for is there, and it's a prudent one. He adds to his hyperbole and speculation by suggesting that this asset could be transferred to some other part of the province—rather inconsistent with the very principle of local health integration networks in the first place.

The key principle is well established in law; it's there. It says that any transfer of the assets that the honourable member speaks about must be done in a circumstance that is clear, and this circumstance goes something like this: The charitable purpose of the donation must be maintained. If Mrs. Jones gives money to an MRI for service and activity in her local community, I stand before you and I give this assurance, and it is clear: This service will continue to be the one that Mrs. Jones offered the dollars for in the very first place.

OMERS PENSION FUND

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier and it concerns a very specific promise the Premier made in writing in order to avoid a potential province-wide work stoppage.

Premier, this is a letter that you sent to the head of the OMERS pension plan. In it, you promised a mechanism to settle pension disputes modelled on the teachers' pension plan. It would have meant that if workers and employers under the OMERS pension plan are deadlocked on a pension issue, that issue would go to arbitration to be decided. But when you introduced your most recent amendments to the OMERS pension legislation, your promise wasn't there. Instead, you substituted a dispute settlement mechanism that would be grossly unfair to the lowest-paid CUPE workers in the province.

I'm asking you, Premier, will you keep the promise that you made on a dispute settlement mechanism with respect to OMERS, or will you be responsible for a province-wide work stoppage?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm more than happy to take the question. Just so the leader of the NDP is clear, the legislation specifically provides that if employers and employees cannot come to an agreement in terms of a two-thirds majority with respect to a change to the benefits, then the board can, by way of a 50%-plus-one majority, send it to mediation. If that mediator's report comes back and it is not accepted by the board, again by a two-thirds majority, they can again, by way of a 50%-plus-one majority, refer that to arbitration. When that comes back, it is binding.

Just so we're very clear about what we are talking about, at the end of the day, this is all about a mediation and binding arbitration process that can be instigated by a 50%-plus-one majority, and we believe that to be fair.

Mr. Hampton: Just to be clear, that is not what you promised, Premier. You promised a very simple dispute settlement mechanism modelled on the teachers' pension plan, and what you've provided in the legislation is so complex and so ridden with delay that it is grossly unfair to some of the lowest-paid CUPE workers in the province.

You thought it was a good idea then. In fact, you thought it was such a good idea that you put it as a promise in writing. All the people who are involved in this dispute are asking you to do now is to keep the very promise that you, Dalton McGuinty, made. You can avoid the controversy, you can avoid the potential province-wide work stoppage simply by keeping the specific promise that you made. Will you do that, Premier—simply keep the promise that you made?

Hon. Mr. McGuinty: We are pleased to be keeping our promise.

The leader of the NDP is saying that, as we might expect, if anything untoward should unfold, if there should be an illegal strike in the province of Ontario, then that could be no person's responsibility other than my own. I see it a little bit differently and I'll tell you why, and maybe my friends will agree. We have followed and respected the process throughout. We ran on this commitment; we are now delivering on this commitment. We introduced a bill in this Legislature. We had two rounds of committee hearings; I think those lasted some 11 days. We've entertained all kinds of amendments, friendly and otherwise. I think we've adopted three that were put forward by the NDP—

The Deputy Speaker (Mr. Bruce Crozier): Answer.

Hon. Mr. McGuinty: What we propose to do now is to move ahead for third reading. Someone in the province is saying, "Notwithstanding the fact that you have respected the process and respected opposition to this, if you should continue to honour that process and move ahead in third reading, then I will break the law."

We will do what is right. We will always honour the process and we will respect our opposition.

Mr. Hampton: Premier, people are trying to be quite reasonable in this process. Mr. Tory has suggested to you that you come to the table. Sid Ryan and CUPE have suggested to you that there is a way out of this. All they are asking is that you do what you promised in writing in this letter. But you have decided to draw a line in the sand. What is your line in the sand? You positively refuse to do what you promised, even if it should result in a province-wide work stoppage.

I say to you again, Premier, you made the promise. When you start messing around with people's pension plans, you start messing around with their retirement security. It's a very serious issue.

The Deputy Speaker: Question.

Mr. Hampton: You can find a resolution to this merely by keeping your promise. Will you keep the promise that Dalton McGuinty made and bring in a simplified dispute—

The Deputy Speaker: The question has been asked. Premier.

Hon. Mr. McGuinty: I know there are many people who are concerned about this bill, and I just want them to have a good understanding of what in fact it is all about. Again, it provides for, effectively, a 50%-plus-one majority required if there is a dispute to send something to mediation and, ultimately, to binding arbitration. That's what this does. Beyond that, I want to be clear to Ontarians that we have, throughout this matter, respected the process: We introduced a bill in this Legislature, had that bill debated in this Legislature, two rounds of committee hearings, we're going to bring the bill back, and there will be an opportunity for third reading debate. I think it is unreasonable and objectionable for someone to say, "Notwithstanding the fact that you have throughout respected the process, should you proceed as a duly elected government to continue to follow due process, I will encourage people to break the law." I just think that's wrong. I think we have an obligation to move ahead, given everything that we have undertaken and by respecting the process, and we will continue to respect our—

The Deputy Speaker: Thank you. New question. Leader of the third party.

Mr. Hampton: To the Premier: You promised a specific dispute settlement process for pensions. What you promised is what teachers have. It is also what firefighters would have under this bill; it is also what police would have under this bill. But the lowest-paid CUPE workers, many of them women working as caretakers in our schools, you will deny them the same dispute settlement mechanism. If it's good for teachers, if it's good for firefighters, if it's good for police, tell me, Premier, why isn't it good enough for those lower-paid workers, especially when you promised it?

Hon. Mr. McGuinty: I can understand that 50% plus one is not something the NDP would support, but I think for the overwhelming majority of Ontarians 50% plus one makes eminently good sense. Again I say to the leader of the NDP, and I say to Ontarians especially, that we have throughout this process respected the process itself by ensuring that people had ample opportunity to make presentations. We've had two days of debate in the House so far; 11 days of committee debate; we received 141 submissions; we heard from 54 presenters. A number of amendments were introduced and, as I say, among those that we adopted were three that were moved by the NDP.

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We have heard from many, we have worked hard to improve the quality of this bill, and, of course, we look forward to moving on.

Mr. Hampton: Do you know what, Premier? Most of those submissions were from lower-paid workers, telling your government how unfair your OMERS amendments are going to be to those lowest-paid workers in the province.

I say to you again, Premier: If a dispute settlement mechanism of 50%-50% is good enough to send it to arbitration for teachers and it's good enough to send it to arbitration for police officers and good enough to send it to arbitration for firefighters, why do women who work

as caretakers in our schools have to have a two-thirds majority in order to have it sent to a dispute settlement mechanism under Dalton McGuinty's legislation?

Hon. Mr. McGuinty: I'll explain it again for the benefit of the leader of the NDP. What the legislation effectively provides—and I'll be more than delighted to have the ministry provide him with a briefing on this. It specifically provides that, in the event that they cannot get the two-thirds majority for a change to the plan, what they can do is ask for a mediation. All that is required in that regard is 50% plus one. Once the report is received, all they need, again, is 50% plus one to move it on to binding arbitration.

So what we're talking about, again, is a 50%-plus-one majority that is required to make changes to the plan. I think that is fair. The leader of the NDP says he believes it is not fair. To that end, he's prepared, I gather, to support the unfortunate—hopefully, an eventuality that can be avoided: an illegal strike. I just don't think that that would be the responsible thing to do.

Mr. Hampton: Here is the process in your legislation. If those low-paid workers who are caretakers at a school that my son or daughter goes to want to improve their pension plan, they have to get a two-thirds majority. If they don't get a two-thirds majority, they need to get 50% plus one; in other words, they need one of the employers to vote with them. How often do you think that's going to happen? Even when they get that, if it gets to mediation, it requires a further two-thirds majority to accept the mediator's report—another roadblock. If the mediator's report is turned down because they can't get a two-thirds majority, it requires 50% plus one to go to arbitration. They need another employer to vote with them.

Premier, that isn't a dispute settlement mechanism; that's a roadblock, and it's an unfair roadblock to the lowest-paid workers in this province.

Hon. Mr. McGuinty: Just so all members are aware, what municipalities—AMO in particular, of course—were asking for was that, in order to make changes, there be 100% support. What CUPE and some others were asking for was that all you'd need was 50%. So we have come up with 50% plus one, which we think is very fair in the circumstances. We think that enables the employers and employees to have a good foundation on which to build the kind of support that is necessary in order to bring about change. It is hardly an insurmountable obstacle over which they must jump. We're talking about 50% plus one.

Again I say to my friend opposite: We have worked long and hard on this bill, we have received many amendments, we have adopted many amendments, and we look forward to moving ahead.

The Deputy Speaker: New question.

Mr. Frank Klees (Oak Ridges): My question is to the Premier. Premier, the province is on the brink of an illegal strike that we all oppose and only you can prevent, simply by agreeing to facilitate a resolution to Bill 206. Why are you prepared to subject thousands of students and their parents across this province to disruption in the

classroom? You promised peace and stability in the classroom, and now it's in your hands to ensure that peace and stability. Yet across this province students will be prevented from studying. Why will you not agree to do your part to facilitate a resolution to this issue and ensure continuation of study in the classrooms across this province?

Hon. Mr. McGuinty: I can understand why Ontarians are confused when it comes to the position of the Conservative Party on this particular issue. Of late, we hear that they have some serious objections to the bill, but a while back, I received a letter from John O'Toole, who said, "The Ontario Professional Fire Fighters Association supports an autonomous governance structure that includes the ability to negotiate local supplemental plans for pension benefits. I would like to express my support for this request and commend it to your immediate attention." As well, Ernie Hardeman said recently, "I am pleased to hear that the government has decided to go with a two-thirds vote on major decisions." So Ontarians are justifiably confused about where the Conservative Party is coming from on this issue, and it would be good to know where they're coming from.

Mr. Klees: I'd like to know at what point, since the Premier became the Premier, he stopped being concerned about students and about parents and about individuals.

I have a letter here from the Windsor-Essex Catholic District School Board regarding this issue. It reads as follows: "In the event of a walkout by our CUPE employees, the usual level of service and support in the schools will be impacted... There will be no one in the schools to provide personal care and hygiene for special needs students."

Premier, I would just like you to simply answer this question: Why are you prepared to allow a disruption of thousands of special-needs students across this province, when it is in your hands to facilitate a resolution that would prevent that disruption? Why have you stopped caring about special-needs students and their parents in the schools of our province?

Hon. Mr. McGuinty: I appreciate the caring and concern being expressed by the member opposite but, you know, I wish he would have cared when, during the Tory regime, Ontario students lost 24-million school days. On top of that, 430,000 high school students were deprived of an entire year of extracurricular activities under the Tory watch. Again, not only did I receive a letter of support from John O'Toole in connection with this bill, but I also received letters of support from Ernie Hardeman, Ted Arnott, Joe Tascona and Elizabeth Witmer. So what I'm prepared to do is provide copies of those letters to the leader of the official opposition so that he might have a fulsome discussion at their next caucus meeting.

MUNICIPAL FINANCES

Mr. Michael Prue (Beaches-East York): My question is to the Premier. The city of Toronto again this year is facing a massive budget deficit pegged at some

\$414 million. In the last election, you and your party campaigned on a platform to put Toronto on a sound fiscal footing; and you promised resources, money and a new deal. When will you personally make good on the \$250 million that the city of Toronto council says this province owes that city?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Finance.
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Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): I'm pleased to respond to the question. Toronto is indeed not only the capital of Ontario but the capital of Canada in so many ways. I'm proud of our government's record, and I'd like to review some of the achievements this government has made for Toronto since we came to office.

On the question of the gas tax and TTC funding: In 2005, we flowed \$217 million, \$80 million more than the previous government provided in 2003. The TTC now receives more annual funding from senior levels of government than ever before. We are contributing to the city's needs on an ongoing basis: funding to the city increasing through the provincial gas tax funding and the federal-provincial-city five-year TTC capital funding agreement.

The Canada-Ontario affordable housing program allocated \$116 million to the city of Toronto. Under the strong communities rent supplement program, Toronto receives over \$20 million per year; the strong communities housing allowance program, \$3.6 million.

We are committed to working with Toronto in a responsible and prudent fashion and will continue to—

The Deputy Speaker (Mr. Bruce Crozier): Thank you, Supplementary.

Mr. Prue: Mr. Minister, you and your government promised a new deal, but in fact all Toronto is getting is the same raw deal. Toronto is short \$59 million—

Interjections.

The Deputy Speaker: Order. Stop the clock for a second.

Order, please. Let's get the question in. The member for Beaches—East York.

Mr. Prue: Toronto is short \$59 million this year for the cost of disability and drug benefit plans—\$59 million that you should be paying. The TTC is short \$180 million over the funding that they received a decade ago—\$180 million less. This is not sustainable for the city. It is not sustainable at all.

In opposition, the Premier promised “to put the city of Toronto on a sustainable footing so it can properly assume its responsibilities.”

The Deputy Speaker: Question.

Mr. Prue: Toronto needs a long-term plan, and that starts with \$250 million now. Will you give it?

Hon. Mr. Duncan: No government and no Premier in the history of this province has done as much for the city of Toronto as this government and Premier Dalton McGuinty.

This year alone, I say to the member opposite, \$130 million in gas tax funding—the first time ever. The City

of Toronto Act, which for the first time treats the city of Toronto as a government of an equal basis, as a government that deserves our respect and support and gives them the tools they need to manage many of the challenges they face.

We remain committed to working with Toronto, indeed with all municipalities, to deal with the difficult decisions resultant from the downloading of the Conservative government. But let me be clear—

The Deputy Speaker: Answer.

Hon. Mr. Duncan: —municipal governments at all levels must take responsibility for their budgets. They must be prudent, as we must be prudent. They must work to eliminate their deficit, as we are working to eliminate our deficit. Working together, we will help Toronto. We'll make this—

The Deputy Speaker: Thank you.

OMERS PENSION FUND

Ms. Deborah Matthews (London North Centre): My question is for the Minister of Municipal Affairs and Housing. There have been a number of criticisms tossed about regarding the timing of Bill 206 and the amount of consultation that was involved. I find this somewhat puzzling. OMERS devolution has been talked about for a decade; that is, there have been years and years of discussion on this issue. Back in 2002, the OMERS board provided their recommendations on this issue, and finally there is a government at Queen's Park that has the courage to do something about it. I'm proud to be part of this government.

We knew it would be a difficult challenge, but we didn't back away. Unlike the previous government, which rammed legislation through, often without any committee hearings, I know first-hand that we've taken the time to listen—

The Deputy Speaker (Mr. Bruce Crozier): Question.

Ms. Matthews: —to all sides of this debate.

Minister, could you please elaborate on some of the work that was done in committee and the extent to which we listened to all sides of this issue?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the member for the question. She's quite correct: OMERS devolution has been talked about for at least 10 years by numerous governments.

We had 11 days of hearings. As a matter of fact this bill, in an unprecedented or very infrequent way, was referred to committee after first reading. It was referred again after second reading. There were something like 74 submissions made at the first hearings and 67 at the second hearings. There were a total of 86 motions presented to change the bill after we had listened to the various stakeholders. As a matter of fact, a number of NDP amendments were accepted as well.

It's kind of interesting to note that the official opposition only made two amendments to the bill at that

point in time. As a matter of fact, two later amendments were withdrawn by them. We've had enough consultation on this bill; the stakeholders have spoken. It's time to act and give governance back to those individuals who pay into the system: the employers and the employees.

Ms. Matthews: I appreciate hearing about the work that was done at committee. But I have to say that I've been pretty disappointed by the official opposition's engagement on this bill. They can't seem to decide where they stand. First, John Tory wants it withdrawn, then he wants further study and now he has asked for a joint meeting. I ask him, where was your party during committee? With all the debate around this issue, they managed to suggest a whopping two amendments during the first round and another two during the second round, both of which were withdrawn; zero amendments on the second round of clause-by-clause. Interestingly, they seem to be experts on that issue now and have no shortage of advice to offer us.

The Deputy Speaker: Question?

Ms. Matthews: Minister, there are many who are engaging in fearmongering. Certain stakeholders have embarked upon a campaign designed to scare OMERS members who rely on this pension. As a result of this campaign—

The Deputy Speaker: I think the question has been asked. Member for London North Centre, please take your seat. Minister?

Hon. Mr. Gerretsen: Let me first of all thank the member for the supplementary question. Let me be absolutely, categorically clear that under this bill no pensions are affected; no pensioner loses anything with respect to this bill. As a matter of fact, for the first time the pensioners are given something they never had before: They have a vote on both the administration board and a vote on the sponsors board.

But this government has done so much more for low-income workers of this province: It has abolished the 60-hour workweek, it has raised the minimum wage for the first time over the last three years and it has increased the number of occupational health and safety officers by nearly double the number that were there when we first took office. The supplemental plan that will be there for our emergency providers will be paid for by those emergency providers and their employees once it's negotiated at the local level.

MINISTERIAL CONDUCT

Mr. Jim Wilson (Simcoe–Grey): My question is to the Minister of Transportation. You attended a meeting at your place of business, the Chalmers Group, on April 29, 2005, which by all appearances was contrary to the Members' Integrity Act. Given that you know that meetings with your trustee should be reported immediately, according to the act, why did you wait until June 10 to finally report to the commissioner that you may have broken the law, and why did you do this only after being contacted by a reporter?

Hon. Harinder S. Takhar (Minister of Transportation): I was not aware of the requirement that I needed to report this issue in the beginning. Since then, I have become aware of that and have said that I accept the recommendation of the Integrity Commissioner in its entirety. I have acted very promptly to work with the Integrity Commissioner to change my trustee and have made all the changes he requested.

1500

Mr. Wilson: In the Integrity Commissioner's report, you stated that your schedule was too busy to get a brief moment to speak with your wife because "I get home late." Minister, we now have your schedule, and you're definitely not the busiest person in the world. In fact, for a cabinet minister, you have a remarkably empty schedule. From January 1, 2005, to April 30, 2005, you had 31 days, excluding Sundays, with one or no appointments, and on 52 other days—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Stop the clock. I would like to hear the question, please. The member for Simcoe–Grey.

Mr. Wilson: From January 1 to April 30, you had 31 days, excluding Sundays, with one or no appointments, and on 52 other days, you finished work by 6 p.m. Given that you clearly had plenty of time, would you now like to revise the story you gave the commissioner as to why you had to meet at your place of business?

Hon. Mr. Takhar: Let me say this: This is my ministerial schedule. It basically takes into account all the appointments that I perform on behalf of the ministry. Other than that, I perform work on behalf of the constituency, and in addition to that, I have a lot of other work that I perform on behalf of the ethnic community as well. On average, I have nearly six to seven appointments that I keep, even on Saturdays and Sundays. I leave at maybe 8 o'clock and come back at 11 o'clock. I have a busier schedule than you will ever have.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Gilles Bisson (Timmins–James Bay): My question is to the Minister of Health: When you appeared before the committee that was dealing with Bill 36, the local health integration networks act, you said to the committee, "The constitutional rights of aboriginal people and our government-to-government relationship must be recognized." First Nations community leaders took you at your word. They worked hard in order to bring forward amendments that my colleague, Shelley Martel, brought to the committee. Among them was a non-derogation clause that would recognize your responsibility under the act and their right. Why did you break your promise to First Nations leaders and not accept those amendments?

Hon. George Smitherman (Minister of Health and Long-Term Care): Well, here we go again. The honourable member's reputation with respect to advancing

information on this subject has already been besmirched, in my view. I want to say very directly that I have, in a very regular series of meetings with the regional chief and grand chiefs, expressed the view that I would work with them to establish a better capacity for the government of Ontario and First Nations people to work together, both at the highest levels influencing the ministry, and at the local levels, at the LHIN level. This has been done in the legislation, very specifically, on the non-derogation clause. They asked me about it at the very last meeting that we had. I told them that I would review it with lawyers. Upon seeking advice of government lawyers, I was told that it, in fact, would be inappropriate, unconstitutional. I made no such commitment to First Nations communities. I work very closely with Regional Chief Angus Toulouse. The commitments that I made to him have been fulfilled. Accordingly, I would ask the honourable member to be a little bit more cautious in the language that he appropriates towards me.

Mr. Bisson: This is not me saying this, Minister; this is Angus Toulouse, the very person you talk about. They're saying—not only Angus Toulouse, but other chiefs across this province—that you did not maintain your word. If anything has been besmirched, quite frankly, it's what's happened with what they've had to say to you.

Listen, First Nations have heard it for years: 130 years of being ignored and not being taken seriously by provincial and federal governments. You know because you've been with me, and you know very well the conditions of the communities across Ontario when it comes to health services.

I ask you again, why did you break your word to Angus Toulouse and others, and not put a non-derogation clause within the legislation?

Hon. Mr. Smitherman: It's my understanding that, at legislative committee, the health critic for the NDP had the opportunity to ask legislative counsel why the non-derogation clause was viewed as inappropriate. I am not a lawyer and, from time to time, I seek the advice and accept the advice that is offered by lawyers. They offered that view to Ms. Martel.

I repeat again, in no meeting with Angus Toulouse did I commit to a non-derogation clause, but rather committed to a representative, I believe from Treaty 3, but I'm going by memory here, that I would take that look at it to see if it was appropriate. I did that and I was told that it was not appropriate. Ms. Martel, your seat-mate, voted in favour of an amendment, the community engagement section amendment, that included creating aboriginal planning bodies at the community level with LHINs and with a higher First Nations health council that would have the capacity to work alongside the government—

The Deputy Speaker (Mr. Bruce Crozier): Answer.

Hon. Mr. Smitherman: —on the stewardship of health care. These are the commitments that I made repeatedly to First Nations leadership in the very regular series of meetings that I asked them to engage in with

me, and we're meeting again in the next week or two because we're very concerned about moving, not just in a process fashion, but in a content fashion, to address the underlying health circumstances of our First Nations.

The Deputy Speaker: New question. The member for Brant.

Mr. Dave Levac (Brant): My question is for the Minister of Health and Long-Term Care. My constituents are concerned, and rightly so, about the information they're receiving about Bill 36, also known as the LHINs bill.

I know that they understand and support that changes and improvements are needed in our health care system, but they have some questions that I'd like to pass on to you. Some of my constituents have been told they will have to travel great lengths, and if not, then from one side of a LHIN to another to receive routine treatment. This makes no sense to me, and I understand that's not the case, but it does cause them concern.

They also want to know whether local community voices will be respected when decisions are made regarding how their health care is provided.

Minister, will you address those concerns specifically and tell me and my constituents the role that LHINs will play in planning their local health care?

Hon. Mr. Smitherman: I've been clear in saying that I think there has been a deliberate and sustained misinformation campaign designed to create a fearful circumstance for people about the consolidation of health care in a few centres.

We fundamentally believe that the best health care is the health care you find as close to home as possible. The evidence of that is in the hundreds and hundreds of millions of dollars of community-based investments we've made across Ontario in the smallest communities. We've been pursuing an aggressive agenda of moving these services out to communities. But we cannot pretend that there will not be circumstances, as health care evolves, where there will not be specialized services that are best delivered in a centre-of-excellence model where technology, as an example, or the expertise of health professionals dictates that you can't do this on every street corner. But the responsibility for these decisions is being vested in people.

Earlier today, Mr. John Tory said these are our hand-picked people and we shouldn't respect them. But we've reached out to people like Tony Fell in your local community, Mr. Speaker. We've appointed Carolyn King, and we have proposed Vince Bucci and other local representatives because we believe fundamentally that health care decisions should be made locally by people who have on their—

The Deputy Speaker: Thank you, Minister.

Mr. Levac: Minister, I deeply appreciate the fact that it is going to be indeed a local concern, because there are concerns with some of the LHINs that the local voice is not going to be heard. It's obvious from today's answer that we're going to get that.

I've heard that some people really see Bill 36 as a means to extend home-care-style competitive bidding

systems to the rest of the health care system, something we both know is not acceptable. Information being disseminated suggests that the government will move to promote greater contracting out of clinical services after legislation passes; in other words, privatizing our health care system through stealth and using LHINs to do so.

Minister, can you address these claims and make sure we have a clear understanding that that's not the case?

Hon. Mr. Smitherman: Here in the province of Ontario we have a government that fundamentally believes in a public health care system. Entrenched in the preamble of the legislation is our commitment to the Canada Health Act and to our Commitment to the Future of Medicare Act, which rules out two-tier medicine in our province. We stood at the borders and prevented Lifeline from coming. We worked to repatriate MRIs. We sent a strong message to Copeman that his proposal for private clinics in Ontario is a no go.

The circumstances are clear: There are those who are pretending their way through this that we should in no way ever ask about a health care service in the context of the cost to deliver it. We believe fundamentally that there are opportunities for health care providers to be challenged to provide good-quality services with a consideration of cost.

The NDP offered an amendment yesterday that basically said that no health care decision can ever be made with a view to its relative cost. The circumstance we would be forced to tolerate, then, is the one we inherited, where hospitals in Ontario, the same health care system, offer a price range from \$450 to more than \$2,000 an eye for cataract surgery—the same service. That is the status quo that the NDP wishes to support.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Norman W. Sterling (Lanark–Carleton): My question is for the Minister of Community and Social Services. I want to ask her about some very vulnerable people who are living in Rideau Regional Centre, and some other people who are living at Huronia Regional Centre and are being transferred out of the homes they've lived in for over 40 years because this government wants to empty those particular residences.

On January 26, the Ontario Superior Court of Justice said that the families of those residents had to consent to the movement of these individuals. The court also declared that any disagreement between a family and the ministry would have to be resolved by the court. So no longer can the minister unilaterally transfer these people out; she has to have the approval of the court.

Madam Minister, have you changed the procedure and the administration procedure to take into account the ramifications of this court's decisions?

1510

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I'm very happy to be asked this question

because, as you know, many people—families and individuals—and the staff who work at these centres have been waiting to see how the courts would rule in this challenge. I was very pleased with what the judges had to say in their ruling; that is, a significant acknowledgement about the role that the staff of community and social services have played in the planning and development of that move into the community.

In specific answer to the member opposite's question, he needs to be aware, as do all of the members of this House, that never in the history of anyone moving from those facilities, including the 1,000 who were moved under that member's government, have any of them been moved without family consent when families are involved with those individuals.

Mr. Sterling: First of all, those people who were moved early on didn't have nearly the vulnerability nor the multiple challenges that the ones have who are left. I am told now by the families of these residents that your ministry is using very high-pressure tactics to move their loved ones out of these residences.

Minister, why will you not provide these families with outside professional expert assessments of each individual that will assure the families that the new homes for these highly challenged people will meet their needs? And will you reimburse the family that challenges your decision with their legal and expert assessment costs so that they can look out for their loved ones?

Hon. Ms. Pupatello: I think it's important to repeat that never in the history of any individual living in our facilities, where a family has actually been involved with that individual, have they ever been moved without consent. For anyone to suggest that that has not been the case is simply not true.

Let me say as well that our jurisdiction stands as a leader of moving people into the community, with plans that, bar none—and even the acknowledgement in the court decision by this judge's panel suggested a tremendous effort on the part of our planners; the best, in my opinion, in this nation. We have the very best planners at work with the 1,000 who are still in our institutions and are moving. What I would dearly love to have is the opportunity to sit with this member to talk about the number of success stories, not only in the move since we became the government, but the success stories of those who that member opposite was involved with in moving them into the community, because they are legion.

SALE OF FOREST LAND

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Premier, under your government, 485,000 acres of prime forest land in northwestern Ontario was recently sold off to an American investment company for a mere \$113 per acre. To put this in perspective, 485,000 acres of prime forest land is more than three times the area of the city of Toronto. Thousands of jobs in northwestern Ontario depend upon having access to timber that would come from that forest land.

Can you tell us, Premier, why you allowed half a million acres of prime forest land in northwestern Ontario to be sold off to an American company that doesn't even operate a sawmill, a paper mill, a pulp mill, any kind of mill in northwestern Ontario?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'd like to point out to the member, and certainly to the members of this House, that this land historically has always been in private hands. It was under the ownership, as of late, of Abitibi paper, and they put it up for sale. They had an open bid process. The government was part of that, and the government didn't succeed in that.

Since we lost that opportunity, I have met with the owners of the company. I'm sure that in the supplementary I would have the opportunity to maybe inform the member more fully as to how that land is going to be managed.

Mr. Hampton: Premier, here's the situation: Thousands of forest sector workers in northwestern Ontario have lost their jobs. Why? Because of the high cost of wood fibre and the high cost of electricity. Now you allow half a million acres of prime forest land to be sold off to an American company that will be quite content to allow this timber to be exported to American mills in Minnesota and Wisconsin, to supply jobs there.

Abitibi put this timberland up for sale in April of last year. All it would have taken was a phone call from you or the Minister of Natural Resources to Abitibi, telling them that Ontario wants this forest land, and Abitibi would have come to the table and sold it to you for a mere \$113 an acre.

Tell us, why was your government asleep at the switch? Why are you now allowing timber to be exported to mills in Michigan and Wisconsin while forest workers in northwestern Ontario are losing their jobs?

Hon. Mr. Ramsay: I have to say to the member to just hold his horses. No timber is going across the border to the United States. I have met with the owners of the land, and they have described how they are setting up a local management operation for this in Thunder Bay.

The history of this company—and by the way, as we checked with environmental groups in the United States, they have a very good record of sustainable development of their forest lands there. They generate their revenue by selling to the most local forest operations in the vicinity of the land, and that's what they're continuing to do. They have assured me that they're going to honour all the contracts that are existing today with that land that feeds the existing mills. So that wood is going to go to the local mills.

EARTHQUAKE IN SOUTH ASIA

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): My question is to the Minister of Citizenship

and Immigration. I understand you recently returned from a visit to the earthquake-affected region of Pakistan. All Ontarians have followed the tragedy that happened there and have consistently done their part to help through fundraising and donation of goods.

As you know, my riding of Stormont–Dundas–Charlottenburgh is an increasingly multicultural one, with the Pakistani population being one of the fastest-growing in the city of Cornwall. All of my constituents, but particularly those of the Pakistani community with family and friends in northern Pakistan, are concerned as survivors face a harsh winter. We all want to ensure that these victims are not forgotten, despite their geographic separation from us.

Minister, can you tell us what we have done for Pakistan, and how Ontario's support is actually helping on the ground?

Hon. Mike Colle (Minister of Citizenship and Immigration): I thank the member from Stormont–Dundas–Charlottenburgh for his deep concern about the victims of the South Asian earthquake. In fact, that deep concern goes from Cornwall to Windsor to Mississauga, where many Canadians of South Asian origin have relatives who are part of the, sad to say, 86,000 victims who lost their life as a result of the earthquake. There are still three million people living in tents. Every school in the Kashmir area has been destroyed, every hospital, every clinic. So the people and the NGOs that we're supporting there, like the Canadian Red Cross, are very appreciative of the fact that Ontario has been generous in supporting their relief efforts in Pakistan.

Mr. Brownell: I know Ontarians take great pride in their role in relief efforts; they have for many, many years. In October, I attended a Pakistani relief fundraiser in my riding of Stormont–Dundas–Charlottenburgh that was organized by the leaders of the Pakistani community. The event was certainly a success, and after that event, I reported here in the House that over 200 people were in attendance and close to \$30,000 was raised.

The generous people of Stormont–Dundas–Charlottenburgh are not alone. Many other Ontarians generously donated both their efforts and finances to help those affected by the Pakistani earthquake. Minister, can you tell us a little more about how the funding will be allocated and how Ontarians can continue—I believe that's important—to support those in Pakistan?

1520

Hon. Mr. Colle: As you may know, I travelled to the earthquake area with the former chief of police of the city of Toronto, who's now the Commissioner of Emergency Management for the province of Ontario: Julian Fantino. He and I were very well received, and there was deep appreciation for the generosity that Canadians have shown for the earthquake victims. The message they gave to Commissioner Fantino and myself was to come back to Ontario and say thank you to the government of Ontario; to the government of Canada; to the DART members, who did excellent work; to NGOs like the Canadian Relief Foundation from Brantford, Ontario; and

to the IDRA here in Mississauga for all their generosity. They are so deeply thankful that there is this caring overseas, and they asked me to pass on the message to please keep on thinking of them in their prayers, their hopes and our generosity, as they still need help in the earthquake area.

PETITIONS

HIGHWAY 26

Mr. Jim Wilson (Simcoe–Grey): “To the Legislative Assembly of Ontario:

“Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

“Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

“Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe–Grey;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe–Grey.”

I want to thank Kim Taylor of ReMax Wasaga Beach for circulating that petition.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Howard Hampton (Kenora–Rainy River): I have a petition to the Legislative Assembly of Ontario.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

This has been signed by over 100 people from northwestern Ontario, and I have affixed my signature as well.

OXFORD COUNTY LIBRARY BOARD

Mr. Dave Levac (Brant): This is to the Legislative Assembly of Ontario:

“Whereas we have read over the petition for the application of good governance of Oxford county and appendix A, Oxford county budget comparisons 2000-04; and

“Whereas as ratepayers and residents of Oxford county we would like to inquire as to how good government is defined and whether the Oxford County Library Board and Oxford county council did due diligence in restructuring the Oxford county library system; and

“Whereas we are all concerned that the financial records of Oxford County Library Board are questionable as there are discrepancies in the figures between the consolidated statements and the budget statements;

“We, the undersigned, petition the Minister of Municipal Affairs and Housing of the province of Ontario, under sections 9 and 10 of the Municipal Affairs Act, to initiate a provincial and municipal audit of the financial affairs of the county of Oxford to make an inquiry into the affairs of Oxford County Library Board.”

I sign the petition and give it to Amelia.

ONTARIO FARMERS

Mr. John O'Toole (Durham): I'm pleased to present a group of petitions from my riding of Durham. It reads as follows:

“Protect Our Farmers

“To the Legislative Assembly of Ontario:

“Whereas thousands of Ontario farmers and rural Ontarians have been forced to take their concerns directly to Queen's Park due to a lack of response from the Dalton McGuinty government; and

“Whereas the Rural Revolution believes that rural Ontario is in crisis and they will be demonstrating their resolve” and have demonstrated it “at Queen's Park;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to deal with the serious issue of farm income, as brought forward by the Rural Revolution's resolutions to respect property rights and prosperity as follows:

“Resolution number 4: Federal and provincial governments have created a bureaucratic environment that legalizes the theft of millions of dollars of rural business and farm income. All money found to be removed from rural landowners, farmers and business shall be returned.”

I'm pleased to sign this on behalf of my constituents in the riding of Durham and across Ontario.

TENANT PROTECTION

Mr. Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario. It reads as follows:

"Whereas the so-called Tenant Protection Act ... has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

"Whereas the Ontario Rental Housing Tribunal created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs;

"Whereas the same act has given landlords wide-ranging powers to evict tenants;...

"We, the undersigned, residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

"To immediately scrap all Tory guideline and above-guideline increases...;

"To shut down the notoriously pro-landlord Ontario Rental Housing Tribunal;" and finally,

"To abrogate the Tory Tenant Protection Act and draw up new landlord-tenant legislation in consultation with tenants and housing rights campaigners."

PUBLIC LIBRARIES

Mrs. Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas the Minister of Culture recently announced that there would be funding cuts totalling more than \$1.2 million from Ontario public library services; and

"Whereas over 69 million people visited public libraries in Ontario in 2003, with more than 100 million items circulating; and

"Whereas these cuts will impact us as library users, resulting in delays in how libraries receive new books;

"Therefore, we, the undersigned, ask the Legislative Assembly of Ontario to direct the Minister of Culture to restore the funding for Ontario public library services so that libraries can continue to promote literacy in our communities."

I have affixed my signature to this.

AUTISM TREATMENT

Ms. Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas children with autism who have reached the age of six years are no longer being discharged from their preschool autism program; and

"Whereas these children should be getting the best special education possible in the form of applied behaviour analysis ... within the school system; and

"Whereas there are approximately 700 preschool children with autism across Ontario who are required to wait indefinitely for placement in the program, and there are also countless school-age children that are not receiving the support they require in the school system; and

"Whereas this situation has an impact on the families, extended families and friends of all of these children; and

"Whereas, as stated on the website for the Ministry of Children and Youth Services, 'IBI can make a significant difference in the life of a child with autism. Its objective is to decrease the frequency of challenging behaviours, build social skills and promote language development';

"We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of IBI for all pre-school children awaiting services. We also petition the Legislature of Ontario to fund an educational program in the form of ABA in the school system."

I agree with the petitioners and I will affix my signature to this.

REFUNDABLE CONTAINERS

The Deputy Speaker (Mr. Bruce Crozier): The member for Davenport.

Mr. Tony Ruprecht (Davenport): Thank you, Mr. Speaker, for recognizing me again, on this very important petition. It's to the Legislative Assembly of Ontario and is specially addressed to the Minister of Finance. It reads as follows:

"Whereas we find lots of pop cans and beer bottles in our parks plus children's playgrounds;

"Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminium cans worth \$27 million into landfill every year instead of recycling them;

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Therefore we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I'm in agreement with this petition 100%, I am delighted to sign it.

1530

ONTARIO FARMERS

Mr. John O'Toole (Durham): I have a second petition on this issue from the riding of Durham, an agricultural riding. This one is protecting individual rights.

"To the Legislature of Ontario:

"Whereas thousands of Ontario farmers and rural Ontarians have been forced to take their concerns directly to Queen's Park due to a lack of response from the McGuinty government; and

"Whereas the Rural Revolution believes that rural Ontario is in crisis" due to lost property rights and a crushing regulatory burden on rural Ontarians, "and they

will be demonstrating their resolve and determination at Queen's Park" and in Port Perry "on March 8;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to respect our individual rights as addressed in the Rural Revolution's resolutions to respect property rights as follows:

"Resolution number 3: The will of the majority can never justify injustice upon individuals or restrictions on their freedom of choice in private matters."

I am pleased to present this on behalf of my constituents.

HANDGUNS

Mr. Toby Barrett (Haldimand-Norfolk-Brant): This one is titled "McGuinty's Handgun Ban is Not the Answer." It begins with a quote from Premier McGuinty. It's addressed to the Legislative Assembly of Ontario:

"I think a handgun ban is an absolutely essential component of any intelligent, comprehensive plan to address shootings, especially those that are taking place here in the city of Toronto. I think we owe it to our young people in particular to take guns off the streets, and I can't think of anything more powerful in that regard than a handgun ban." (Dalton McGuinty, Hansard, Dec. 8, 2005)"

It concludes by saying:

"We, the undersigned, respectfully disagree with Mr. McGuinty and petition the Legislative Assembly of Ontario to take action on violence and young people by providing resources for police and fixing the justice system."

I agree with the people who have signed this and hereby affix my signature.

PUBLIC LIBRARIES

Mr. Jim Wilson (Simcoe-Grey): "To the Legislative Assembly of Ontario:

"Whereas the Minister of Culture recently announced that there would be funding cuts totalling more than \$1.2 million from Ontario public library services; and

"Whereas over 69 million people visited public libraries in Ontario in 2003, with more than 100 million items circulating; and

"Whereas these cuts will impact you as a library user, resulting in delays in how often your library receives new books;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Culture restore the cuts to funding for Ontario public library services so that our library can continue to promote literacy in our community."

I want to thank the good people at the Collingwood Public Library for that petition.

CANCER TREATMENT

Ms. Shelley Martel (Nickel Belt): I have a petition that's been signed by hundreds of people. It's been sent to me by Marion State of Thornhill. It reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I agree with the petitioners and I've affixed my signature to this.

PUBLIC LIBRARIES

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition also to do with library service cutbacks. It says:

"To the Legislature of Ontario:

"Whereas the \$700,000 cut in funding to the Ontario Library Service (OLS) budget will have a significant impact on the delivery of public library service across the province in areas such as:

"—reductions in the frequency of inter-library loan deliveries;

"—reductions in the SOLS consultation services and the elimination of a number of staff positions;

"—the elimination of province-wide research on library and socio-demographic trends that all libraries need for their own planning;

"—the reduction of consortia/charitable purchasing, a service that provides economies-of-scale discounts to libraries on a variety of goods and services; and

"—a reduction in the amount of material that is translated for OLS French-language services;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To restore funding to the Ontario Library Service in order to signal support for the Ontario public library system."

I support this petition.

PROTECTION FOR HEALTH CARE WORKERS

Ms. Shelley Martel (Nickel Belt): I have a petition that has been sent to me by OPSEU. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas sharp medical devices such as syringes, IV catheters, blood collection needles, suture needles, lancets and scalpels put not only health care workers but also the general public at risk of injury and/or infection; and

“Whereas an estimated 33,000 needle-stick injuries occur in the health care sector alone in Ontario every year; and

“Whereas the annual cost of testing and treating needle-stick injuries in Ontario, in health care alone, is \$66 million; and

“Whereas, since the cost of using safety needles in all workplaces is relatively minimal, we can save \$8 million every year in Ontario by eliminating unsafe medical sharps; and

“Whereas safety needles protect health care workers and the general public, eliminating about 90% of sharps injuries where they are mandated by law;

“We, the undersigned, petition the Legislative Assembly as follows:

“That the Legislature pass a law requiring the mandatory use of safety-engineered medical sharps in all workplaces where workers are exposed to blood-borne pathogens.”

I agree with the petitioners, and I will affix my signature to this.

ORDERS OF THE DAY

REPORT, INTEGRITY COMMISSIONER

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein.

Mr. Speaker, I will be sharing my time this afternoon with the member from Mississauga Centre.

On January 4, the Integrity Commissioner issued a report that the Legislature must now consider. I know that the Minister of Transportation will speak in detail to the content of the report and the issues it examined. But first, it's important to outline for members of this House what the recommendation of the Integrity Commissioner was and what the law provides in terms of our response.

The Integrity Commissioner concludes that the minister “did not go about intentionally trying to short-circuit the system.” That's important. The minister has acknowledged an error and has taken the appropriate steps to correct it.

The rules outlined in the Members' Integrity Act ensure that the public interest and taxpayer dollars are protected. Throughout this entire process, there has been no evidence to suggest that the public interest was compromised or that taxpayer dollars were at risk—none. But the Integrity Commissioner did find that a rule was broken and he made a recommendation to this House, and that was to issue a reprimand. In fact, the commissioner wrote, “I think it would be unfair to sanction the minister beyond issuing a reprimand under section 34(1)(b). Upon the filing of this report with the Speaker, that reprimand will be duly recorded.”

In my opinion, the penalty imposed by the Integrity Commissioner is appropriate. Anything beyond that penalty would be unduly harsh. In short, the penalty proposed matches the breach found by the commissioner.

According to the Members' Integrity Act, subsection 34(2), when a report is issued that contains a penalty recommendation, “The assembly shall consider and respond to the report within 30 days” of it being tabled in the House. The motion that I have just moved fulfills the requirements set out in the Members' Integrity Act. The act outlines our responsibilities as legislators quite clearly: We either reject or adopt the report and its recommendations, nothing more and nothing less.

The Members' Integrity Act specifically states that “the assembly does not have power to inquire further into the contravention, to impose a penalty if the commissioner recommended that none be imposed, or to impose a penalty other than the one recommended.”

It is clear. It is our duty to ensure that we stay within those parameters. The Legislature should ensure that we follow the act as written.

I would like to thank the Integrity Commissioner for his thorough investigation and thoughtful report. The motion we have before us today adopts the report in its entirety and includes the recommendation for reprimand. I would urge all members to support the recommendations outlined in the Integrity Commissioner's report and vote for this motion.

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Hon. Harinder S. Takhar (Minister of Transportation): On January 4, 2006, the Integrity Commissioner, the Honourable Coulter Osborne, issued his report that reviewed allegations made by a member of the opposition. I stand here today to accept the report's findings and to take responsibility for them. I would like to thank the Integrity Commissioner and his staff for the time and effort they put into conducting this thorough review.

As a result of the allegations, an impression has been made over the last seven months that there has been a misuse of my privileged position as a member of the executive council for personal gain. This is not the case, and I am glad to have the report of the Integrity Commissioner to put this to rest. I made the error, but it was not deliberate, and the findings make it clear that there was never any intent to circumvent the rules, nor any implications of personal gain of any description whatsoever.

I appreciate the opportunity to speak today so that this report can be considered in its proper perspective. The report dealt with three issues, and I think it is important to look at what the Integrity Commissioner says.

The first allegation was whether I had at any time used my position or knowledge gained as a minister to further the interests of my family-owned business. This allegation relates to section 2 of the act. The Integrity Commissioner said there was, and I quote, "no merit" to the contention that my business or I have personally benefited from my position as minister. He also says, and I quote, "there is no evidence—direct or circumstantial" to support that claim.

The second assertion was whether I participated in the management of those companies after I was appointed minister. The findings of the Integrity Commissioner clearly confirm that I have never used my position or knowledge gained from my position to further my private interests.

I did attend a meeting with my wife at my family-owned business. We discussed the financing of my daughter's future education plans. I made an error in judgment by attending the meeting at this location. But the Integrity Commissioner clearly states that although I made, and I quote, "error in judgment," he was, and I quote, "not satisfied that the evidence establishes that the minister was engaged in the management of a business carried on by a corporation." He goes on to say, and I quote again, "I therefore conclude this aspect of the complaint has not been established." These are the words and conclusions of the Integrity Commissioner, not mine. I have not participated in the management of the business.

The third matter dealt with my failure to inform the Integrity Commissioner when the trustee of my management trust also became the CFO of the Mississauga Centre riding association.

A year after my election, the members of the riding association elected my trustee to the position of CFO. The Integrity Commissioner originally approved my trustee. In his report, the Integrity Commissioner writes, "Although there is nothing explicit in the act" mandating this, I should have told him about this change, and I agree. The Integrity Commissioner has clarified a process that I was not aware of. Had I been aware of my obligations, I would have done so.

In his concluding remarks, the Integrity Commissioner wrote, "Although I regard this as a serious matter, I have to recognize that the minister did not go about intentionally trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship ... was compromised, he would have taken steps through this office to straighten things up."

Immediately after receiving the report, I worked closely with the Integrity Commissioner to put a new trustee in place, and the Integrity Commissioner confirmed compliance with the act.

The words of the Integrity Commissioner have taught me a very valuable lesson, and I want to thank him again

for his guidance. I apologize for not informing him, and I take his recommendation of reprimand very seriously.

As I have said since receiving this report, I accept the Integrity Commissioner's report in its entirety. In all of this, it is important to recall why some of these rules are in place. They're meant to ensure that the public interest is protected, no personal gains are realized and taxpayers' dollars are put to their proper use.

While I should have recognized and should have informed the Integrity Commissioner about the added role my trustee took on, I want to make it clear that at no time was the public interest in jeopardy, at no time were taxpayer dollars at risk and at no time did I personally gain from this. In fact, I went beyond the call of my duty to place all my assets, directly or indirectly owned, into the management trust. The Integrity Commissioner has now clarified what assets ought to be in the management trust.

I entered politics for the right reasons. It was not for money or power. I entered public life to serve the people of Mississauga and the people of Ontario.

I have done quite a bit in my life. This wonderful province and great country have been very good to me and my family. Like most immigrants, I came to this country with very little but a burning desire to succeed. I worked hard during the day and studied at night, and the rewards of my hard work and determination have been very fulfilling for me.

In my professional life, I reached heights that I could never have dreamt when I came to Canada. In my personal life, I got married here, raised my children here and gave them the very best education and opportunities that we, as a family, could afford.

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My family has also achieved success in the business world. I believe in values such as family commitment, respect for each other, appreciation for hard work, desire to succeed, giving back to the community, and fair and open dialogue. I built my career based on the concept of life-long learning, doing the right thing, and letting the reality determine the perceptions, not the other way around.

After receiving so much from this great country, I always felt that I needed to give back to the society that afforded my family so many opportunities. I got involved in the United Way, our local hospital and in the community in general to do my part. This is what led me to enter politics in the first place. I want to use my experience and share that with people, to share that experience in serving the people of this beautiful province of ours.

Politics is a new profession to me. To some of my colleagues, politics may be their career, but to me, it has been an opportunity of a lifetime to make some real difference. I want to use my position in this government to further the interests of students, parents, seniors and children, rural and urban Ontarians. The past two years have been a tremendous privilege for me because I have been able to do just that.

We have made some significant progress since 2003, including improvements to public transit, infrastructure investment and road safety. We are making progress for commuters by delivering two cents of the existing gas tax to municipalities. We are providing 83 transit systems in 110 municipalities with stable, long-term funding. This has enabled transit systems to add new buses, new routes, to hire new drivers and other staff. We opened the first-ever high-occupancy vehicle lanes on Ontario's highways so commuters can spend less time on the roads and more time with their families. We launched special veteran licence plates featuring the word "veteran" and a poppy to honour and acknowledge the great populations and sacrifices of other veterans.

The GTA fare card is on track toward an early 2007 launch date, with system-wide implementation planned for 2010. The Border Transportation Partnership is proceeding on schedule to identify a single preferred new Windsor crossing by mid-2007. We are very close to establishing the GTTA, which will promote better planning and the delivery of transit services across the GTA and Hamilton. We permitted the use of studded tires for residents in northern Ontario to give them more options and improve road safety in icy conditions. We are developing and launching a new, more secure Ontario driver's licence card.

We launched the northern Ontario highways strategy to ensure better planning and coordination of improvements to northern area highways. We are continuing to fight on behalf of 407 users. We are cracking down on illegal taxi scoopers so that when people arrive at an Ontario airport or travel in one of our cities, they get into a safe and licensed cab. And we are making progress for children by making school buses safer and child booster seats mandatory in Ontario.

While we have accomplishing a great deal in the first half of our mandate, I am looking forward to achieving even more in the second half and working in the best interests of all Ontarians. I want to assure everyone that I will continue to work as hard as I always have. I stand here today on my record of personal integrity and public accomplishments to urge everyone to read the report and, from that, draw your own conclusions.

While this issue has not distracted me from my responsibilities as Minister of Transportation, it has affected my family. So I want to thank especially my wife, children and my parents for their continuing encouragement and support.

I also want to thank the Premier for giving me the opportunity to serve in this position and for his ongoing guidance, support and confidence in me. I want to thank all my colleagues and staff for their support as well.

Thank you, Mr. Speaker.

The Acting Speaker (Mr. Michael Prue): For the record, because this does not happen very often, there are no questions and comments in a debate like this.

We will go now to the leadoff speaker for the official opposition, the leader of the official opposition.

Mr. John Tory (Leader of the Opposition): I think this is an important debate to take place in this House. I think it marks an important series of events. I want to begin, as did the government House leader, by saying a word of thanks to the Integrity Commissioner for the work that he did, for the thoroughness with which he did that work, and for the completeness of his report.

I would also like to say a word of thanks to the minister for having the courage to come in and speak to the report today. I know that it took a great deal of courage for him to come in and speak to the report and to say what he did.

I also am quite prepared to stand here in my place and say that I accept the fact that the minister entered politics for the right reasons, and I'm furthermore prepared to accept the fact that the minister entered politics in order to try and give back. I would go a step further than that and say that I accept the fact that every single member of this House, without exception, entered politics for the right reason and entered politics in order to try and give back.

What that doesn't take away from, however, is the need—which the minister himself, I believe, referred to—when matters of this kind come up, to deal with them; to deal with them in an open and transparent way; to make sure that they are dealt with in a way that engenders confidence on the part of the people who sent us here, in the system of which we are a part.

The minister talked about the distinction which often exists—we all know this—between perception and reality. But at the end of the day, there is a connection between perception and reality oftentimes. Certainly, in the public's mind, the perception that they have often can be erroneous. It certainly can often be damaging. It is important that a process like this exists and that a debate like this can take place on a report such as the one that has been written, so that we can make sure that people understand what has happened in the eyes of someone, in this case, who is objective, who has written the report, so that they can maintain that confidence in the system and make sure that these things are done, as I say, in ways that are transparent and open and engender confidence in the system.

I must tell you that one of the lines in the Integrity Commissioner's report that was important to me was the line in which he stated unequivocally that he did not think that the complaint in this instance, which was filed by me as Leader of the Opposition, was in any way other than filed in good faith and that the complaint was not frivolous or vexatious.

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The Premier made reference, on the day we left for Christmas, to the fact that the leaders of the opposition parties and the members of the opposition have an important role to play in our system of government in order to make sure that transparency, that confidence in the system, that accountability continue to exist, and when there are instances in which things need to be looked at, things need to be examined, when the differ-

ence between reality and perception, or the facts that lie behind a given perception, need to be examined, that it is done and that somebody raises it. Because in our system, as members will know, the executive council, the Premier and, in particular, a majority government are given immense powers to do all kinds of things. The check that exists in our system, as distinct perhaps from the United States, is the existence of an opposition party, or parties in this case, which are here to ask the questions that sometimes the government would rather not have asked. They're here to raise the matters that the government would rather not have raised. They're here to do things that make sure these things are aired in an open and complete fashion, such that the public can see, one way or another, what has transpired in the judgment of someone—in this case objective—given powers and responsibilities by this Legislature to deal with complaints and matters of this kind.

I can assure you that had the Integrity Commissioner come forward with a report that said, "Absolutely nothing transpired here. There was no breach of the law. There is no cause for a reprimand. I've looked at this whole thing, and absolutely nothing took place that was even worthy of me spending my time," that in fact if he'd gone on to make any comment about whether this was frivolous or vexatious or a complaint made in bad faith, I would have stood in my place and acknowledged that he had said that, and said that most particularly to the Minister of Transportation. I would have done that, because I think that is the kind of honour we have to have in this place. I think it is some of the kind of honour that did cause the minister to come here today to speak and to show the courage to do that, as I indicated earlier.

I think we make a mistake all the time on matters of this kind when we conclude or assume that this is about Harinder Takhar, Dalton McGuinty, John Tory or anybody else; it isn't about that. It is about the paramount need that exists to make sure that people have confidence in the system of which we're a part, that they have confidence in us as individuals, that they have confidence in the standards that are set and adhered to here, that there is a consistency that people can count on in the administration of their affairs, the management of their money, but generally in the administration of the public interest. That's really what this is all about.

If you start with the Members' Integrity Act itself, which is what led to this entire process and this complaint and the report of the Integrity Commissioner, that act was passed by this House at a point in time in the past for a reason. The reason was to set out a regime by which members could guide themselves, and ultimately pursuant to which others could review the conduct of members and make sure that at all times members maintained a standard of behaviour and integrity in the discharge of their duties regardless of what party they're from, what riding they're from, who they are, what their name is, where they came from or anything else.

The regime is governed by the act. It appoints a commissioner to adjudicate objectively, and I don't think

there's been a single question raised by the minister or the Premier, and certainly not by myself, with respect to the completeness and the objectivity of the work done by the Integrity Commissioner on this and other matters. I am sure there will be days when I will stand in this House and be called upon to comment on a report written by the Integrity Commissioner where he has gone against something I have said or done or a complaint I have filed or whatever. I think it is important that we recognize that I will understand on that day, as you have to with people in positions like his—judges and so on—that they call them as they see them. They're objective people who understand very clearly their responsibilities in that regard and the important part they play in the process.

Here is the standard that was set out in the statute. It's a partial quote. It says, in paragraph 3, in the preamble, "Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members." That is the standard set out in this act, where there's an elaborate regime set out to say what happens if there's any suggestion that anybody didn't follow this set of guidelines or this legislative language.

It's interesting that there really isn't a similar standard set out anywhere. There is in respect of the very direct and complex and legal question, if I can call it that, of a conflict of interest; there are statutory provisions we know that deal with that. But there are no written provisions at all dealing with the very difficult question of judgment that is involved and exercised by a Premier, and only by a Premier, in deciding who should be in his or her cabinet and what qualifications those people should have, but perhaps even more importantly than all of that, what is the acceptable standard of conduct in order for someone to be and to remain as a member of the executive council.

You can look far and wide, but there is no statute, there is no code. There is the conflict-of-interest code, but that deals with a fairly narrow area, and I'm going to come back to this based on some comments the Premier made yesterday or the day before about that. But there is no place where it's all written down as to what the acceptable standard of conduct is. So what that leaves it to, as is the case with many things, is the judgment of the first minister of the day. You can be guided by precedent, you can be guided by what people write in the newspaper, by what the opposition says, but in the end—it is one of the aspects of the job that I respect and understand because I worked for a former Premier of this province and I've watched Premiers exercise their judgment. It's the difficult part of the job. People think the difficult part of the job is dealing with big sums of money or having to spend many hours traveling around the province or this and that. The really difficult part of being Premier or being the head of any organization, which both the minister and myself have been, is to exercise the final judgment that rests only with you when it comes time to make decisions on certain kinds of matters.

If you start with the standard that is set out in the Members' Integrity Act and say that is the standard that we—we—have prescribed for the conduct of members, you then move to the next very interesting question, to which there is no answer written down and contained in the statute: Should the same standard basically be applied to ministers in the conduct of their affairs as ministers? Should a higher standard perhaps be applied to ministers in the conduct of their business? In the end there is no answer to that question, but as I said earlier, it is the Premier who sets the standard.

It is interesting because we do have lots of commentary on this. I'll give you one comment that came from the current Premier of Ontario when he was the Leader of the Opposition on June 25, 1997. Here's what he said in Hansard on that day: "If it is indeed an arm's-length, quasi-judicial body and the Integrity Commissioner has in fact made the finding that this minister is in breach of the law, that he has contravened the act that governs our behaviour in this Legislature, then you have no choice, Premier, but to stand up once again, tell us that you are going to ask for the resignation of Minister Al Leach, of Minister Cunningham and of Minister Runciman, because they have all clearly, in keeping with the words offered by the Minister of Health on numerous occasions in this House, broken the law. You have no choice."

Now, I guess it's possible to say that if you break, contravene or breach one law, somehow it's more serious than another, and so forth and so on. It's possible, I suppose, to say that if a member of the Legislature contravenes the Members' Integrity Act, that really doesn't have anything to do with the discharge of their responsibilities or the standard of behaviour expected of them as ministers. The one thing we know for sure is that the Integrity Commissioner did make a finding that it wasn't his place. When I say he made a finding, that's not true; I apologize. He wrote to me upon being asked by me as to whether it was his role or responsibility or if he had the authority or intended to make any statement whatsoever about the standard of behaviour to be applied to ministers or about what should be done in this particular case with respect to the continuation of Mr. Takhar as a member of the executive council. In his reply to me on February 9, Mr. Justice Osborne, in answering my question—which I don't have in front of me, precisely, but it was, "Do you have the authority, the mandate under the statute or otherwise to make recommendations or give advice with respect to the continued role of Mr. Takhar as a member of the executive council?"—chose to quote his predecessor, the Honourable Gregory Evans, who said, a number of years ago: "Whether a member of the executive council remains in cabinet is not a matter for my office. It would not be correct to draw any inference that my recommendation ... has any relationship to a member's status as a member of the executive council." Justice Osborne went on to say, "I agree with his conclusion," meaning Justice Evans's conclusion. "I do not have the jurisdiction to advise the Premier or make recommendations as to who should be on the executive council."

Really, all this did was confirm what I think we knew before, and what I said a moment or two ago, which is that the responsibility for determining and enforcing the standards of behaviour that are appropriate for ministers of the crown rests with the Premier, as it always has. There were probably years in times gone by when there were no Members' Integrity Act; in fact, I'm sure there were no conflict-of-interest rules. At that time, the only person who was the arbiter of what appropriate behaviour was and what sanctions should properly be applied was the Premier. In this case, it still is the Premier, even though he now has some help from some of the statutes that we have passed over time.

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I think what the public want to see is one set of consistent standards. I don't think they expect, nor would they accept the fact, that the Members' Integrity Act and the objective gentleman appointed by the Legislature to review and adjudicate upon behaviour under that act should apply one standard, and that the standard the Premier would, and should, apply with regard to his ministers would be something quite different. In fact, if you asked people if they would accept as a standard of behaviour for ministers some of the words very similar to what is in the Members' Integrity Act, most of the public would say, "What's the difference?" The objective of these pieces of legislation is to maintain and uphold confidence in the electoral system—in ministers, in members, in every part of the system—of which all of us are a part. In this case, the only difference is that the person who reviews the evidence, the person who makes the findings when it comes to appropriateness to serve in cabinet, is not the Integrity Commissioner, it is the Premier.

We heard the Premier's old standard before. I don't want to put words in his mouth; I read you the quote from Hansard and we can all go and read it any time we want. I read another quote from Hansard, I recall, yesterday in question period which was very similar. It was about Mr. Leach again, the same set of facts. The Premier was very clear in saying that if Mr. Leach breached the law then he had no choice but to resign, and if Mr. Leach didn't do the honourable thing himself, having been found to have breached the law, the Premier had an obligation to ask him for his resignation. That was the standard that was articulated by Dalton McGuinty when he was the Leader of the Opposition.

Yesterday, when this matter came up for discussion in question period, the Premier said—and indeed the minister devoted himself to this in his remarks today—that in fact what we were looking at here was a standard that said—again, I'm going from memory, but I don't think I'm doing any injustice to the Premier's remarks—that if it wasn't about steak dinners, if it wasn't about expensive hotel rooms and if there was no evidence that you had abused the taxpayers' money or misused it in some way, that, therefore, was the end of the discussion. To be fair to the Premier, the way he put it was, "Since there is no suggestion here of steak dinners, hotel rooms, abuse of

the taxpayers' money or personal enrichment"—that was the other point the Premier made—"I therefore see no reason why this gentleman should retire from my cabinet." I suggest that that is not an appropriate or adequate standard. I don't think the Premier himself—and I asked him yesterday, "Do you really mean to suggest that that is the standard and that anybody who does anything other than those things—"

Look, question period is what it is. It's part accountability, part debate and part theatre. I don't think it's a place where you necessarily articulate standards, because it does require a lot of care and forethought to do that. That's why I gave the Premier the chance to tell me, no, that really isn't the standard. In fact, I asked him one question yesterday when I just said to him, "What is the standard?"

I say, with respect, to my friends opposite, to the Premier and to the minister—and this is where it has nothing to do with this minister and this matter—I think the Premier of Ontario, if he is not going to agree with the standard that we are suggesting and with the one indeed that I think he articulated in the past, he has an obligation to come forward to this House sooner rather than later—much sooner—and tell us what the standard is. Again, I think it's not about Mr. Takhar or Mr. McGuinty or Mr. Tory or Mr. Anybody or Ms. Anybody Else. It is about the public understanding what the standards of this Premier are, it is about the public understanding that if those standards are breached action is going to be taken and it is about accountability so the public know what the standard is and then can measure the Premier and his ministers against that standard.

So, for now, all we have on the record is the Premier indicating that the standard seems to have something to do with expensive hotel dinners and, frankly, if you've just shown you haven't enriched yourself and you haven't abused the taxpayers' money and you haven't had steak dinners in hotel rooms, then that is good enough to stay in the cabinet.

Well, I don't think it's good enough, and I would venture to suggest that the public doesn't think it's good enough either. I would venture to suggest, furthermore, that Mr. McGuinty, when he was Leader of the Opposition, didn't think it was good enough either, because he said at the time—to repeat the point—when Mr. Leach was found to have contravened the law, Mr. Leach should have resigned, and if he didn't, the Premier should have asked for his resignation.

I'm going to quote from a number of newspapers, but let me quote from an article that was written under an editorial—I don't know which it is—on January 9 in the Toronto Sun, because I think there are some interesting thoughts here. It says:

"But McGuinty said since Osborne recommended that Takhar be reprimanded, but not removed from his seat in the Legislature, there was no reason to dump him from cabinet.

"This is absurd. Only McGuinty has the power to fire his minister. Instead, the Premier argued there was no suggestion Takhar had tried to profit from his actions.

"Incredible. Is that the only standard McGuinty has for his cabinet? Before anyone is bounced, they have to be caught red-handed attempting to use their public office for private gain?

"Besides, Osborne is not an investigator. He can't conduct searches or subpoena records. He talks to the parties involved and even on that basis, he concluded Takhar broke the rules.

"Now, it's not only Takhar's integrity that's in question, but McGuinty's judgment. He should go, Premier. You shouldn't need anyone to tell you that."

That's what they had to say at that time. It talks of, hints at and suggests a standard that should be applied that isn't just about self-enrichment or the abuse of the taxpayers' money.

I will say this to you, Mr. Speaker—and I sort of alluded to it in question period yesterday—that I very much regret the fact that, until I had to write to the Integrity Commissioner—and I can't put it any other way than this—the Premier tried to hide behind the Integrity Commissioner's judgment and to suggest somehow that the Integrity Commissioner had opined on or made any comment or finding on what should be done vis-à-vis Mr. Takhar's continued membership on the executive council of Ontario.

I gave him the opportunity yesterday, which I think he should have taken. Even if he had said, "Well, you know what? When I read it, the interpretation I took from it was that Mr. Osborne was saying that nothing more should be done at all in respect of the minister, both as a minister and as a member, but I was wrong. The Integrity Commissioner has now clarified that, and I apologize for the fact that I have suggested repeatedly, over and over again, that the Integrity Commissioner was making a decision or a recommendation on the matter that only the Premier has responsibility for, which is the setting and the enforcement of that standard of behaviour on the part of his ministers." He didn't do that. In fact, even when I offered him the opportunity to do that in question period, he failed to do that. I think that says something above and beyond the failure of the Premier thus far to come to this House or anywhere else he wants to go and set out the standard.

If anything comes from this matter, I think the first and foremost thing that should come from it is that the Premier should, at an early date, set out in some way or other—and I would suggest if he wanted to do it in a way that would try to engender the respect and participation of all members, he should invite members from all parties to sit perhaps with Justice Osborne.

It's interesting; the Minister of Finance couldn't have mocked me more often in the last two or three days in heckling in the House about the fact that I suggest quite often that people should sit down and try and sort things out. I'll tell you this, and it's not germane to this debate, but if I had a choice between seeing an illegal strike unfold in this province that will affect thousands and thousands of people—parents, drivers, kids, people who use recreational facilities and the rest—and I thought for

one minute that a meeting taking place in the Premier's office under his good offices, using the prestige of his office to bring people together, would avert that strike, I'd say absolutely, 10 times out of 10, the meeting should be held.

I would say in this case—and the minister can come in here tomorrow and mock me all he wants—if it is going to help to set a standard of behaviour that will enhance confidence in the public administration and public affairs of this province, which we so desperately need—and I'm going to talk about that in a minute—to have a meeting with the Integrity Commissioner and representatives of the party and to give some advice to the Premier as to an appropriate standard of behaviour, which he can then accept or reject, adopt or not, as he wishes, I would have that meeting and I would get that advice.

I'll give you another idea that just came to me. Why wouldn't we ask Bob Rae, David Peterson and Bill Davis, just to cite three examples—or it could be any of the others. They're our former Premiers. We're blessed to have former Premiers who are alive and well and totally interested in this process today. Why wouldn't we ask Justice Osborne to sit down with them and say, "Would you like to give Mr. McGuinty a little bit of advice as to what standard might be?" that you could then put in writing? It's not carved in stone. Other people could change it, but at least we'd have something that would govern these very difficult kinds of issues we're confronted with today.

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The question arises, why does any of this matter? Why do we need to have a Members' Integrity Act? Why is it important, as I believe it fundamentally is, for Mr. McGuinty to make some effort to come forward with a standard so that we can all know what it is? If it isn't steak dinners, hotel rooms, self-enrichment and abuse of taxpayers' dollars—if that's not it, if that's not his full articulation of the standard—then what is it? Why does it matter?

It matters because I think that if you wanted to name the most serious issues affecting Canada and Ontario today—I heard the Minister of Citizenship and Immigration talking about his trip to Pakistan. I was similarly blessed with a trip to Pakistan, India and Sri Lanka in January. I think the minister would agree with me that when you go and see something like the devastation of that earthquake, when you see those towns and those villages utterly destroyed by that earthquake, when you go, as I did, to Sri Lanka and see the same thing with respect to the tsunami, you realize that any of the problems we have here—any of them, regardless of what they're about: social problems, economic problems, problems of all kinds, problems to do with faith in politicians—pale in comparison to the horrors that people have to live with in countries, whether it's about those things or about AIDS in Africa or a whole bunch of other things. However, our issues are our issues. Thank God we don't have a lot of natural disasters in Canada and we're blessed in many respects.

When you look at our roster of issues, I would suggest that one of the ones that is the most pressing today, because I think it speaks to our ability to address a whole bunch of other issues that are very important, is the lack of faith or the loss of faith that has taken place in people who are in politics in Canada today. It's not about this House. It's not about the Parliament of Canada. It's not about Liberals or Conservatives or New Democrats or anybody else. It is about politicians generally.

I'll be honest with you. I've told the story before, I think, of when I was going door to door in the by-election when I got elected to this House. I found the experience quite disconcerting, because I went to many doors where people would greet you the minute you introduced yourself with some kind of blanket statement. I don't know whether the new member for Scarborough—Rouge River experienced this. I'll bet he did. People would greet you with a kind of blanket statement, "You're all the same. You all tell lies. You all steal. You all do this, you all do that." I thought to myself as I'm canvassing door to door, in what I had viewed for 35 years of my life as a volunteer as one of the most honourable things you could be a part of, the political process—where you could make the biggest difference and a lot of things the minister himself said a few minutes ago—how could it be that we have got to the point where this is the way people feel? Indeed, when I was out canvassing during the course of the federal election just concluded, I heard a lot of the same things.

If you said, is it worse today or is it about the same as it has always been? I would argue, with conviction, that it is much worse, because I have been knocking on doors for 37 years, actually since I was a very young teenager, and I have never heard the level of cynicism, anger, mistrust and skepticism about us. It's not about Liberals and Conservatives. I'm honest enough to come here and say that when they say it, they say, "You're all the same." It's part of a class of people we are, which is politicians.

I'll be honest again. I had some trouble. Having come from the same kind of successful business career that the minister said he had, the same kind of involvement in the community that he said he had, raising money and doing good works, I hope, in the community and so on, there was a period of time after I became leader of this party when I was almost hesitant to say the word "politician" when people asked me what I did. I'm over that now because I'm very proud of it. I'm proud to be a member of this House with all the people who are here. I'm proud of what we try to do together. I'm proud of the role we all play in doing what we all have to do. The Liberals are in the government right now. We're in the opposition, as are the New Democrats. We all have our job to do, but in the end, I don't question for a second that we're all here trying to advance the public interest and do better for people, albeit we come at it from different perspectives.

The reason why this is important, why the standard of behaviour for ministers is important, why respect for the Members' Integrity Act is important, why respect for the

judgments of Mr. Justice Osborne is important—I have said today already that I think we can and must do better—is because it is those things that are the mechanisms we employ and that we then are judged by in terms of whether people have confidence in us.

People often ask me in interviews, and I'm sure many members of the House have been asked, about whether they think the way to resolve the issue of the declining participation in elections is to pass compulsory voting legislation, the way they have in Australia. I always say no, and I say no because I think that would be the easy way out.

I had occasion to talk about this at a speech I gave a couple of days ago. I said that the wounds we have suffered in the political process, in faith for politicians, for all of us and all the other people who are in politics with us, are, by and large, self-inflicted. I don't blame the public for what has gone on with respect to what has happened in various Parliaments and Legislatures. The public doesn't come in here and tell us how to behave every afternoon when we're here. The public doesn't tell us to do things that later are found to have been in bad judgment or contravention of the law or whatever. The public elects us here. They send us here. That's the only part they play in this. They send us here and then they have the expectation, which I think is legitimate, that we would behave in the way that I read about in the preamble to the Members' Integrity Act.

When we ask why it matters, I would refer to a couple of things that have been written. They said in a Hamilton Spectator editorial, January 7:

"What does it take to get fired from Dalton McGuinty's cabinet? Consider that a rhetorical question, since there's no apparent answer.

"Transportation Minister Harinder Takhar still enjoys the Premier's 'confidence'—and all the perks of a cabinet minister—despite a damning report from Ontario Integrity Commissioner Coulter Osborne....

"Osborne was clearly skeptical of some of what he was told, and said in his report he found part of the story of the April meeting 'somewhat bewildering.'

"You don't have to be a code-breaker to read there that the Integrity Commissioner isn't sure he was told the complete story.

"It's almost unbelievable that McGuinty could so wilfully ignore the importance of cabinet ministers' integrity, and particularly hypocritical after his years of self-righteous howling from the opposition benches."

This is probably the most important sentence in the editorial that I'm going to quote from last: "Cabinet ministers have so much influence on policy and spending of public money that they must be above reproach." That's probably the most important sentence, and it's about the standard that has to be set. The Hamilton Spectator is suggesting—correctly, in my view—that it has to be a very high standard indeed for cabinet ministers, because cabinet ministers have responsibilities that go above and beyond what all the rest of us have here, as important as our responsibilities as members of this House may be.

Let me turn to the Peterborough Examiner, January 7. I quote from these newspapers because these are thoughtful, objective people. Some might question from day to day their objectivity on various sides, because we all have our disagreements with newspapers, and that probably proves that most of the time, they're right. But they're right about these things, from where they see it.

The Peterborough Examiner said on January 7:

"Coulter Osborne, Ontario's Integrity Commissioner, obviously understands integrity. Premier Dalton McGuinty obviously doesn't....

"Premier McGuinty could have taken away Takhar's cabinet seat while letting him continue as an MPP.

"Cabinet members have to be held to the highest standard of conduct. Takhar broke one integrity law. He displayed outstanding recklessness in regard to another—a circumstance in which the Integrity Commissioner also saw some grey areas in the minister's defence. Leaving Takhar in cabinet further justifies public concern that in politics, integrity comes muffled in shades of grey."

I think those newspapers probably answered the question of why this matters as well as I could have in trying to articulate it as awkwardly as I have.

I think this is an instance in which, even if you look at the words of Mr. Takhar, he seemed to hint, when asked about this back in June, at what the appropriate standard was. Here's what he said, speaking to the Toronto Sun on June 17:

"My understanding of the situation is that when the other ministers stepped aside, it was because they broke the rules and I firmly believe that I have followed all the rules." That is what Mr. Takhar said at the time he was asked about whether he should resign in light of the complaint that was filed before the report was written.

I'm prepared to accept the fact that it was a fair thing for him to do; and the same for the Premier, because when the Premier was asked in the House about Mr. Takhar and whether he should resign then, he said something to the effect of, "I will place myself in the hands of the Integrity Commissioner. We will await his report." In fact, if I can quote further from the Toronto Sun, Mr. Takhar said, "I feel I have followed the rules and have taken it to the Integrity Commissioner," because concurrent with my complaint registered as Leader of the Opposition, Mr. Takhar also filed a request for some advice or some ruling from the Integrity Commissioner with respect to these facts.

It's interesting to me, because I've always felt in matters of this kind, while I stated earlier and I believe in my heart that at the end of the day, I understand—having been a CEO and president and head of many different organizations, as others in this House have—the one thing you come to realize, and it's consistent with being a minister as well, and we have many ministers sitting in this House right now—is that the buck stops with you.

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So while I did say earlier, and I believe it to be so, that the buck stops with the Premier when it comes to behaviour and standard-setting and so forth, I think there

is also the matter of the honour of individual ministers, because I think, as often as not, in cases of this kind, it should be the case that a minister would recognize, perhaps even consistent with his or her own words, that when they have broken the rules, they should have a standard they apply to their own behaviour, a personal set of standards of behaviour as to what's appropriate for a minister, so as to put forward their resignation before being asked for it.

So I would suggest in this case that, just looking at Mr. Takhar's own words that he spoke on June 17, 2005, with respect to the standard that he said applied to other ministers—namely that when they were found to have broken the rules, they would step aside—he might have been well advised on January 5 of this year to have reread those words and to have recognized the fact that the personal honour of a minister would suggest that, when things of this kind happen—as sorry as we all are.

I did not take any pleasure whatsoever, and I think anybody from the media who talked to me at the time, anybody from our caucus who listened to me in our confidential discussions at the time, and even in my private conversations with Mr. Sorbara, will know I took no pleasure, no joy whatsoever as a member of this House about the fact that he resigned from the cabinet. We could have an argument about whether the Premier should have asked him to step aside earlier, not because he had done anything wrong but because there was a circumstance in which the air needed to be cleared, but the one thing that I will say is this: When the search warrant came to light in which Mr. Sorbara's name was mentioned, he did the honourable thing. He offered, and his resignation was accepted.

I have said a number of times, and I'll repeat it here today, I hope he is cleared and I hope he, if the Premier and he choose to have it happen, comes back to the executive council, because that would not only be good for Greg Sorbara; that would be good for all of us and for this place and for the entire system and confidence in the system, to say, "He did the right thing. Somebody looked into what the allegations were. They were found to have no substance, and he came back." That is the way the system is meant to work, so that people can have confidence in what's going on on a day-to-day basis.

I want to spend a few minutes talking a little bit about the accompanying part of this process that has really disappointed me as well. The Premier pointed out yesterday in talking about freedom of information and about accountability and so on that our record was worse than his government's record when it came to how often the rules under freedom of information were complied with. I don't come to this House—never did for one minute, and I won't—to apologize for or explain or try to explain away numbers, whatever they might be, with respect to what happened in the past.

All I know is this, and I was an observer in my business and community career at the time when this went on: When Mr. McGuinty campaigned in 2003, he campaigned largely on the basis that—I think the slogan

was, "Choose change." It was "Choose change." So if he had a problem with the freedom-of-information compliance of the previous government—and I will say this: If the compliance rate was 36%, and I think that was the number he cited yesterday, I'll say that's not good enough. You have to be honest about these things from time to time. That's in the past.

Mr. McGuinty invited people to choose change, and while the numbers for year one were better, I can tell you, if this circumstance here is any indication of what this government is doing or how they comply with the rules when it suits them, it's a very shabby example indeed, because in this case, we made a simple request in order to make sure that the file was complete, the transparency was complete, the openness was there for people to see what went on, and we asked for the minister's phone bill and his schedules for the relatively brief period of time surrounding the events that are in question here.

Seven months later, we got a set of information that is either incomplete or has been so manipulated in terms of using the provisions of the act to sort of justify blacking things out that it's useless in terms of providing any kind of transparency. We didn't make up how many appointments are shown on the minister's schedule for 36 days, where he has one appointment or less for 36 days during the period of question. We didn't make that up. That's what the documents that he gave us showed, and by the way, on those days, it's not as if other appointments are blacked out, where they say, "You're not entitled to see this because it's under the law." That's all that was shown on those days for his calendar.

I've worked with ministers—lots of them—over the years. There are people in this room who have been ministers and are ministers on both sides. I've never in my life seen a minister schedule 36 days out of a period of 50 or 60 days that had one appointment or less. Even when he stood up in the House today to explain himself on that, he indicated that perhaps we hadn't seen the other schedule. I'm not even sure what he said—I haven't seen the Hansard yet—but he implied there was some other schedule we haven't seen. Why can't we count on the fact that when we ask for the schedule, we get the schedule? There should only be one, and if it's two parts, then fine, put it together and send it over.

Let's talk about the phone bill for a minute. The phone bill, I think, had six phone calls in a period of several months. The minister said to the press he doesn't like talking on the phone very much. Well, again, this carries that to a length that I've never seen before, not liking to talk on the phone. But, I also know the reality. I have been around this business, I have worked with ministers, I have worked in the Premier's office. The notion to me that a minister would have six or seven—it's one or the other number, I think it's six—outgoing and incoming calls in a weeks-long period? Again, we asked for the cell phone bill; we got something that had six calls on it.

It isn't about that. It isn't about how many calls he made. It isn't even about how many appointments he has. It isn't about that. What it's about, again, is confidence in

the process and confidence in the system. If we have a legislative regime in place that makes it possible for any member—or any member of the public or the press, by the way—to make a request to get this information, then surely, as part of this maintenance of confidence in politics and in the political system, in us, in the Legislature, in the cabinet and everything else, then we all have the right to expect, no matter who is in government, that that law is going to be respected, that the process is going to be followed, that they're not going to make a mockery of the timeline, and that when the information is produced, we're not using loopholes or other kinds of things to supply incomplete information to people. It's all part of what causes people to lose faith in government as well.

I would say the time has come. We're going to file the papers, we're going to appeal and do all the things we have to do, which will start some other cycle of six or seven months running to get the real information, the full and complete information on this. It's now not even a matter, to me, of what is on Mr. Takhar's schedule for those days or what phone calls he did make. It's a matter of principle that you can't make a mockery of these systems and safeguards that are in place to safeguard the public interest and guarantee a degree of accountability and transparency. It's not right when people from this party and the New Democratic Party have sat in government and tried to do it—because they have, you know, tried to use loopholes and tried to skirt around these mechanisms that are in place to promote accountability. The members of the Liberal Party condemned it and they were right to do that, just as I'm right to stand up to say now that you're doing it and it's wrong. It's wrong and it's precisely the kind of thing that engenders a lack of confidence in politicians and the political system, as opposed to trying to build up that confidence and build up that reputation for integrity that we all need and that we all need to have thought of as part of our system.

We're going to have lots to say. We're going to take full part in this debate, because I think it's an important debate. It's important precisely because, as I say, it isn't just about Mr. Takhar, it isn't just about Mr. McGuinty, it isn't just about me or anybody else. It's about the system that we're all a part of. If we achieve nothing else out of this debate, maybe it should be that we try to see if out of it can come some good. I personally believe, and I indicated yesterday—and I want to be honest and address it right up front, because I think it's important to be addressed up front. I could read Mr. McGuinty's words from 1997 and say that I would adopt many of them. I think Mr. McGuinty's words rang true when he was referring to a breach of what I think at the time was the Members' Integrity Act and saying that beyond whatever penalties were provided for a member of the House—and those are limited to, as you know, expulsion, suspension, reprimand or nothing—beyond those four options open to the Integrity Commissioner, there should have been a sanction applied in this case by the Premier.

You know, even if the Premier said he was going to put him out of the cabinet for a period of time and then

felt he had done his penance and brought him back, as long as it wasn't a day or an hour or a week, I would accept the fact that principle was followed here, that the man had to step out of cabinet for a period of time because he was found to have breached the rules.

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I think a lot of the time people will say, "Well, the only reason Tory's up asking these questions and the only reason others are asking these questions is that they're just trying to do whatever damage they can to the Liberal Party; that's all part of the game," and so on and so forth. I can tell you, in this case, that that is not what motivates me to get up and speak in this debate, and I hope the tone with which I've spoken indicates that. I have accepted responsibility for things we might have done when we were in government in the past. I've said that when politicians are given a bad name, it's not Conservatives or Liberals or New Democrats, it's all of us, various ones of us who do this from time to time. I try to be fair-minded about these things because I think there is more at stake than simply any one minister, any one Premier, any one government or any one party.

If you ask, "Do I think we are at the point of a crisis of confidence in what we do, what we are, where we are, what our role is and what standards we apply to ourselves"—no one else is going to do it for us, or if we let them do it for us, is that what we want? Do we want to say that only when our behaviour gets so bad that the public decides they're going to throw people out—is that what we leave it to? Do we want to do that and wait for what could be a whole four-year term of bad behaviour until the public gets the next chance to throw us out, and they're so mad and so disenchanted by that time that there's been terrible damage done to the system? Do we want it to be that way? I answer no, and I know every other member of this House would answer that question in exactly the same way.

To me, that is what this matter is about. That is why it was important for Mr. Osborne to review this matter. That is why it is important not just to take his report and file it in some dusty drawer somewhere and say, "It's all fine. He's had the last word on it." That is why this debate is important. That is why I believe there needed to be more done in this instance in respect of Mr. Takhar's position as a member of the executive council.

I think the highest honour you can have in politics is to be elected by the citizens, which we all have been. The reason it's the highest is that in the end it's the people who elect you to the Legislature. But the second-highest honour, surely, is to be appointed to the executive council; I'm sure it's the second-highest honour you can receive in the system. The highest honour is to be elected by your fellow citizens; the second-highest is to be selected by your Premier for the executive council. If that is the second-highest honour of all—maybe others could name ones that compete with it; I'm not really sure. To me it is certainly right up there on the list, only behind being elected by your fellow citizens.

If that's true, then the standard of behaviour we should apply to receiving and keeping that privilege and that

honour—Mr. Takhar himself today referred correctly to being in the executive council as a privilege, as it is a privilege to be here. The difference between the two is that we have that privilege here as long as our fellow citizens give it to us. In the case of membership on the executive council, you have the privilege as long as the Premier decides you should have it. I think that in order to make sure it remains the second-greatest honour or high up on the list of honours one can receive in the political process, certainly behind being elected by your fellow citizens, it requires that the Premier maintain and apply a very high standard of conduct indeed, that he articulate it and enforce it consistently.

Consistently—of course, that's the subject of a whole other speech, and I'm not going to use all the time I have today. These are things that I think are extremely important to say, not because I'm saying them, but because they're just important to say about the process of which we're a part. I think that's the other thing that often irritates people about all politicians: Either we are inconsistent in what we say, or what we say and what we do are inconsistent, or at a given point in time we will be inconsistent between what we said one time and what we say another time. That makes them cynical; we all know that. Why shouldn't they be cynical when you run for election on a given platform, whoever you are and whatever the election is about, and then proceed to get into government and do something quite different? That is when they say, "I'm not going to bother to vote anymore, because it doesn't matter. I go to the debates, ask questions, listen to what the candidates have to say and make my decision on the basis of all of that, and then whoever it is goes to Ottawa or to Queen's Park or to city hall and does exactly the opposite of what they said they would do." Wouldn't you be irritated if somebody did that to you in your private life, your public life or any other life? Of course we all would. So that is the standard that's applied to politicians on the part of the public, and it's a fair standard.

I don't go around blaming them or the press or anybody else. The wounds on our own system are wounds we collectively have inflicted on ourselves. There's only one group of people who are going to clean that up and fix it, and that's us. I think we can fix it in terms of perhaps having some discussions about the Members' Integrity Act and what may need to be done on that. I'm not sure when it was last updated, but if it's been five years, then it's probably in need of a review, just because things change, circumstances change, and stuff happens, as they say, to put the polite expression beside that. If you ask me whether I think, as I said earlier, that we need to have a standard of some kind developed by somebody and ultimately endorsed and bought into by the Premier of the day and then hopefully by his successor after that and his successor after that, I would say a resounding yes. To go on saying, "This is good enough" today, and, "That's not good enough" tomorrow, but it wasn't good enough yesterday, and that we're going to call it as we see it just in terms of no guidance at all as to what's acceptable and what's not, is no way to carry on.

I've tried to be constructive and reasonable in my comments today about this and why it's important. I hope the debate will encourage the participation of a number of members on the bigger issues. We will move amendments that maybe will suggest that some other things should be done. I heard and I understand the comments of the government House leader with respect to what can be done in this debate and what can't. I totally buy into the fact that the House does not have the authority or the mandate to put an amendment to this resolution saying, "Therefore, this man is not entitled to belong in the cabinet anymore." I guess we could say it if we wanted to, but the Premier gets to decide.

To me, that is worthy of discussion as to what should be put at the end of the motion by way of amendment, if anything, and there will be amendments moved. But the really important part here is whether we can maybe make a constructive contribution, not about Mr. Takhar, not about Mr. McGuinty, not about Tory or anybody else here, but about the system that we're a part of, and maybe produce a greater degree of confidence in us, produce a greater degree of consistency by us, produce a standard that we can be proud of and that the public can be proud of, and make sure that this kind of thing doesn't happen again.

I say, in conclusion, that I am proud to be part of a system where we do have an official opposition that has a job to do. I'm proud to be part of a system that does have an act where somebody can file a complaint. I'm proud to be part of a system where you can have someone as reputable and trustworthy as Justice Osborne to do the kind of thorough job that he did in writing up a report that I think tried very hard to look at things objectively, as he's charged with the responsibility of doing. I'm proud that we can get a report and then have an open debate, and I hope it will be open and that the government or the Speaker will not put any undue constraints on how long it goes on or who wants to participate in it. We should hear from everybody who wants to be heard from. I'm proud to be part of a system that can do all those things.

The next measure of pride that I think we'll all want to take a look at is, can we make some good of this? "Some good of this" isn't measured, in my books, by whether or not Mr. Takhar resigns. I think he should. I think he should do it on his own initiative; if not, the Premier should ask him. But to me, that's not the measurement of success. The measurement of success is, can we learn something from this and apply that learning such that this kind of thing won't happen again, or it won't happen for a long time, that we will know better what the standard is the next time, and that that in turn will give the public greater confidence in the system that we're all so proud to be a part of?

Thank you very much, Mr. Speaker.

The Acting Speaker: Further debate?

Mr. Howard Hampton (Kenora-Rainy River): I'm pleased to be able to take part in this debate because I think there are a number of things that need to be put on the record.

The first thing I want to put on the record is that, while we are debating the report by the Integrity Commissioner into the activities of the Honourable Harinder Takhar, Minister of Transportation and member for Mississauga Centre, the fact is that there is some history to the kinds of issues that are being talked about here today. I want to address some of that history.

I want to start with some things that were said in 1997, when a member, Al Leach, who was then Minister of Municipal Affairs, was found to be in violation of the Members' Integrity Act when he wrote to the Health Services Restructuring Commission. The Integrity Commissioner found that the Health Services Restructuring Commission's independence was potentially compromised by Mr. Leach's actions and found Mr. Leach therefore in conflict with the Members' Integrity Act. The Premier of the day did not reprimand Mr. Leach, but I think it's important to now reflect on some of the things that were said at that time.

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I want to quote Hansard of June 25, 1997, and the speaker in this Hansard is one Dalton McGuinty:

"The Integrity Commissioner found that the minister, Al Leach, is in breach of the legislation that governs our behaviour. He said that the minister has broken the law. It seems to me that in those circumstances what the Premier should have done today is he should have stood in his place and said that he has asked for the resignation of the minister, and to that he should have added that he accepted that resignation.

"Based on what he has just told this House, he should then have added that he asked for the resignation of Ms. Cunningham and the resignation of Mr. Runciman, because they too, in keeping with the finding laid out in this decision, are clearly in breach of the law. They have done something which is unacceptable, which is inappropriate and, most important of all, which is unlawful. That is very, very clear. What the Premier should have done is said that he senses that something fundamentally wrong has happened, that he is not going to allow it to stand and that he is going to take the necessary steps to ensure that the consequences are felt so that all members of his government understand the seriousness of this matter."

That was Dalton McGuinty in Hansard on June 25, 1997.

I want to quote further. Again, I'm quoting Dalton McGuinty:

"Premier, what you are effectively saying today in your statement is that you are not satisfied with the Integrity Commissioner's report. You are not satisfied with it. You are not prepared to accept it and its implications. You're trying to get around it now....

"The findings here are perfectly clear. The minister is in breach of the law; so are the other two whose names you identified for us in this House a few moments ago. You have no option. You've got to ask for their resignations. If they don't give them to you, then you've got to fire them. It's as simple as that."

Again, Dalton McGuinty in Hansard, June 25, 1997.

Further, "Let's come back to what this report is all about, what the conclusion is all about. It's about your minister being in breach of the act. It's about, now that we understand the full implications of this, two other ministers clearly being in breach of the act. You have no option, Premier. You cannot wriggle out from under this one. You have been hoisted on your own petard. This is an arm's-length, quasi-judicial body. You've got to ask for and demand the resignation of your three ministers."

Again, Dalton McGuinty in Hansard, June 25, 1997.

I want to quote further:

"What today is all about is your standards. It's lending focus on those more so than at any time in the history of your government. You, today, are under the microscope, and people in this province want to know what you are going to do in the face of a finding by the Integrity Commissioner that your minister broke the law, is in breach of the Members' Integrity Act, interfered with the workings of an independent, arm's-length, quasi-judicial body."

Again, Dalton McGuinty, Hansard, June 25, 1997.

And I quote further:

"What we're talking about here today, Premier, are your standards. Once again the ball is in your court. The Integrity Commissioner has considered this very, very carefully and taken a good deal of time to do so. His conclusion was that your minister broke the law—no ifs, ands or buts about that whatsoever. He broke the law that governs the behaviour of members of your cabinet, specifically dealing with an arm's-length, quasi-judicial body that you put in place.

"You have no choice but today in this Legislature to tell us that in addition to Minister Leach's resignation, you're going to ask for and you're going to accept the resignation of Minister Cunningham and Minister Runciman."

Again, Dalton McGuinty in Hansard, on June 25, 1997: "Premier, you understand full well that the Integrity Commissioner has no authority whatsoever in determining who sits in your cabinet and who does not. The ball is in your court. The judgment that's under close scrutiny here now is yours. We already understand about Mr Leach's judgment. That has been examined carefully and found to be wanting. Now your judgment is under scrutiny. We want to know what you are going to do in the face of this broken law under Ontario legislation."

This is the context. These are words that have been spoken, and were spoken, I might add, by Dalton McGuinty in judgment of another member of this Legislature who was found to be in breach of the Members' Integrity Act.

I next want to refer to some editorial opinion, because it represents the judgment of those who would observe this place, of those who, frankly, spend a lot of money sending reporters here and keeping facilities here to inform the public of what goes on here.

The Windsor Star, January 14, 2006, on the matter of Mr. Takhar:

"The facts speak for themselves. Coulter Osborne, Ontario's Integrity Commissioner has ruled Transportation Minister Harinder Takhar broke rules outlined in the Members' Integrity Act. Specifically, that Takhar failed to properly sever his ties with the individual the minister had entrusted to oversee his personal business assets....

"Osborne's conclusion was that Premier Dalton McGuinty should reprimand Takhar. The inference seemed to be that Takhar should be removed from cabinet—and that would be a fitting punishment in this case.

"However, McGuinty says he won't take any action against Takhar because his minister has already been punished enough as a result of Osborne's report....

"But it is also quite clear that Takhar broke rules. Rules that are in place to instil confidence in the integrity of an MPP, and particularly a cabinet minister."

I want to refer to the London Free Press of January 8, 2006, another important part of the Ontario media which tries to report on the activities that go on here in the Legislature:

"Given the gravity of Ontario Integrity Commissioner Coulter Osborne's finding in the case of Harinder Takhar, the transportation minister should resign his cabinet position....

"For violating the Members' Integrity Act, Osborne recommended a reprimand. But given the moral imperative of ethics in government, Takhar should instead resign."

The Toronto Star of January 6, 2006:

"After a seven-month investigation, Ontario Integrity Commissioner Coulter Osborne has issued a damning report on transport minister Harinder Takhar that concludes he committed a 'serious' breach of the Members' Integrity Act by failing to maintain a proper arm's-length relationship between his business and political interests.

"While Osborne cannot call for Takhar to be dumped from cabinet, he did recommend the minister be reprimanded for his actions....

"McGuinty is wrong to argue that the reprimand by Osborne is 'significant' and enough punishment.

"The people of Ontario deserve to be served by cabinet ministers who act in accordance with that preamble. That's why Takhar should resign."

The Toronto Globe and Mail, also of January 6, 2006:

"Ontario's Integrity Commissioner has found provincial transport minister Harinder Takhar in violation of the law—the Members' Integrity Act of 1994. He has found Mr. Takhar in breach of parliamentary convention. He has found Mr. Takhar 'egregiously reckless' for participating in an April 29 meeting with a management trustee with whom the minister was required by law to maintain an arm's-length relationship. In fact, he says that Mr. Takhar's relationship with trustee Joseph Jeyanayagam—who Mr. Takhar didn't bother telling the commissioner had been elected the treasurer of Mr. Takhar's riding association in December 2004—doesn't

come 'within the ambit of any accepted definition of an arm's-length relationship.'

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"And how does Mr. Takhar's political boss, Ontario Premier Dalton McGuinty, respond to all this? With a shrug. He says the minister may have 'demonstrated a lapse in judgment,' but 'I continue to have confidence in [him]... as a valued member of my cabinet and caucus.'

"Mr. Takhar should not be in the cabinet.... Instead, the Premier has praised Mr. Takhar to the hilt and treated the commissioner's report as a one-day wonder.... Mr. McGuinty should fire Mr. Takhar as his minister."

The Toronto Sun puts a lot of resources into reporting on this place and making sure the people of Ontario know something about the issues that are debated here every day. This is what the Toronto Sun had to say on January 9, 2006:

"Only McGuinty has the power to fire his minister. Instead, the Premier argued there was no suggestion Takhar had tried to profit from his actions.

"Incredible. Is that the only standard McGuinty has for his cabinet? Before anyone is bounced, they have to be caught red-handed attempting to use their public office for private gain?"

I quote these things because I think we need to take account of the obvious, blatant, patent contradictions and because I think we need to note that the public is not blind; the public is not stupid. The public understands what Premier McGuinty had to say only a few years ago in condemning not one but three cabinet ministers and calling for their resignations, saying we have to have higher standards and those standards need to be observed, and that it is the overall responsibility of the Premier of the day to make absolutely sure that those standards are known and observed. That was the position of Premier McGuinty then, and I think the public knows that. They may not know every dot and dash, and they may not know every quotation, but I believe the public knows that only a few years ago Dalton McGuinty, as he was then, was only too willing to be holier than thou on these issues.

But now—and the public sees this as well—when it's one of his own cabinet ministers, when the Integrity Commissioner is very clear in his finding, suddenly the standards change. Suddenly the standards are completely different. As I say, the public is not stupid. When the public sees this, the public becomes quite cynical. The public says, "Why should we trust? Why should we believe? Why should we have any confidence?"

I just say to all the members: This hurts each and every one of us. This affects the reputation of each and every one of us, and it affects the reputation of democracy. It affects the institution: this place and the regard people have for this place. It affects the regard that people have for democratic institutions. That's what is at stake here. More serious than any of us as individuals, that's what is at stake here.

I just want to deal with a few other things I really found upsetting about this. When Mr. Tory wrote to the

Integrity Commissioner to raise the issues, one would have thought that the Premier and members of his cabinet would have treated this issue with some seriousness. One would have thought that they would have thought about what is at stake here. But let me tell you that what I found really quite disturbing about this is the fact that not only did the Premier and members of the government not take this issue seriously, but in fact some MPPs said that Mr. Tory was sleazy for raising this issue, sleazy for asking that the Integrity Commissioner look into this issue. The Premier said, "Again, the circumstances relating to that particular meeting have been made very clear, notwithstanding the innuendo advanced by the other side." So instead of taking these issues seriously, right away there was almost an organized campaign under way by government members to call anyone who raises these issues sleazy and to say they're dealing with innuendo.

I want to tell you what the Integrity Commissioner said about that. The Integrity Commissioner said, "This complaint is manifestly not frivolous and vexatious or made in bad faith."

This is what I find even more troubling. When someone even writes to the Integrity Commissioner to say, "Is this right? Is this proper?" members of the government immediately try to label someone who does that as being sleazy. Well, if one looks at the comments that were made just a few years ago by one Dalton McGuinty, if one looks at the context of what has happened here, if one looks at the editorial comments, I think it should be clear to the people of Ontario who has been dealing with innuendo and who has been bordering on sleazy in this whole affair.

I say once again that what is really damaging here is that this affects all of us as members of the Legislature. It affects the reputation of the Legislature; it affects people's view of democratic institutions; it affects people's view of politics. That is what is so bad about this. That is what is so damaging about this. Let me tell you, whether it's opposition members or government members, when the next election rolls around, this kind of stuff will be thrown in our face.

I would just say to members opposite—those members who were so willing to sit in judgment of Minister Leach, those Liberal members who were so willing to condemn Bob Runciman, those Liberal members who were so quick to call for the resignation of other cabinet ministers who were not even subject to a complaint to the Integrity Commissioner—look at your own sorry situation here. Look at the precedent you have created. Look at what you are doing to the reputation of this institution, to the reputation of democratic institutions generally. You should hang your heads in shame.

If George Orwell were here, I'm sure he would say, without any doubt, without any hesitation, "double-speak": one of the worst examples of doublespeak, or, if you want to so call it, Newspeak.

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What needs to be done? I also want to remind the Premier of some comments that he made, not in the

context of Mr. Leach or Mr. Takhar, but some comments he made before the last election. He said that he wanted to restore honesty, transparency, accountability to government. He said that was in fact the number one priority, and would be the number one priority of a McGuinty government. I say to government members, here is the opportunity. Now is the time. Here is the challenge. Where are you?

There are a number of substantive things that I believe need to happen in the context of this. Perhaps we need to take a serious look at the Members' Integrity Act. I met with the Integrity Commissioner a few months ago. In his discussions with me, he said that he has some dissatisfaction with the Members' Integrity Act, that he has some complaints about it. He sees that there's a need to amend the act, to put in place some machinery, some mechanism that will make it more effective and might lead to greater trust on the part of the public. So the Integrity Commissioner himself is saying that some things need to be done here.

If the Premier of the day is not willing to live according to the standards, notwithstanding what he said just a few years ago, if he's not willing to meet his own standards, then perhaps we need to write into the legislation some things which clearly would disqualify an MPP for certain activities. Maybe that's what we'll need in order to restore public confidence. If the Premier of the day will not enforce standards that he has waxed eloquent on, that he's repeated over and over again, if he suddenly does an about-face on these issues, perhaps what we need to do is write into the legislation certain specific penalties for certain events. Maybe that's what's required here.

You simply cannot have, on the one hand, a Dalton McGuinty calling for the resignation of someone who has been found in contravention of the Members' Integrity Act, calling on the Premier of the day to insist upon a resignation, and then, when a similar situation, perhaps a more egregious situation, happens a couple of years later, simply saying, "No, there's nothing going to be done here." The public is not stupid. The public sees through this. The public becomes cynical, the public loses faith, the public loses confidence and the public loses trust when they see this happening.

I'm not, in this context, going to suggest all the substantive amendments that need to take place. I'm not going to suggest some of the changes in process that probably need to take place. I think that should be left to another time. But I do want to read into the record—because again, it goes to what I was saying earlier—some of the things that were said in the context of other members of this Legislature.

I want to refer to Cam Jackson. Mr. Jackson got into some trouble. By the way, I want to say to members of the public that politicians, members of the Legislature, are only human. None of us can claim to be perfect. If we do claim to be perfect, then woe are we, because, sorry to say, looking around here, I don't know any of you to be perfect, including myself. Mr. Levac, you want to be

careful before you raise your hand. You want to be very careful.

I want to refer to Mr. Jackson. Mr. Jackson got into some trouble. I want to quote what was said about him, again by Dalton McGuinty: "There's the matter of Cam Jackson running up expense tabs.... I wonder if you are taking notice that your ministers are apologizing ex post facto for behaviour that should never have arisen in the first place. The reason that is happening is because of your lack of standards, your lack of leadership, the lack of direction you are setting for your government." Once again, that was Dalton McGuinty. I wonder if the Premier is reflecting on those comments in view of his actions of late.

I want to refer to comments that were made about one Chris Stockwell. Let's be clear: Mr. Stockwell was the subject of an Integrity Commissioner's complaint and a finding. Mr. Stockwell in fact did step down, but I want to refer to Mr. Stockwell. Again, this is Premier McGuinty: "To my way of thinking ... it is wrong to run some \$25,000 in family expenses through the riding association. To my way of thinking, Premier, you should have fired Chris Stockwell, because what he did was wrong.... It's about ... your judgment and your standards. At what point in time are you, as Premier, going to exercise some leadership, at least some modicum of leadership, and tell your caucus and cabinet ministers that in your government, there are some things that are right and there are some things that are wrong, and what Chris Stockwell did was wrong? When are you going to have the courage, the intestinal fortitude, the conviction to stand up and condemn this minister for what he did as wrong?"

In the context, Chris Stockwell went. Not only did he go as a cabinet minister, but he went as an MPP. I ask again: Compare that with what we see going on here today with the McGuinty government. Dalton McGuinty was quite ready to sit in judgment of others, but when it comes to his own government it seems that the same standards don't apply. In fact, I think people across the province are entitled to ask now, "What are the standards of the McGuinty government? Are there any standards for cabinet ministers in the McGuinty government, or are they simply made up as the Premier goes along?"

I could say much more. I could quote from a few more newspapers. I could quote a few more holier-than-thou statements made by people who now sit as cabinet ministers in the McGuinty government, people who were oh so willing to sit in judgment of others in the past but now have become shrinking violets and have nothing to say. But I think I have illustrated the problem. I think I have illustrated the challenge. What I call for now is that the Premier and the McGuinty government show some of the moral fibre they were so proud of just a few years ago, the moral fibre they demanded of others, the moral fibre they exhibited oh so haughtily when they sat in judgment of others. Where is that moral fibre today? Where is that holier-than-thou, "we always know best" attitude?

We know what the challenge is. We know there is a serious challenge here. We know this must be addressed, both in the context of Mr. Takhar and in the longer-term context. I simply say, where is the Premier, where are his standards, where are the standards of the McGuinty government and where is your willingness to address not only the short-term issue but the longer-term issue, which is perhaps more serious for all of us?

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The Acting Speaker: Further debate?

Mr. Ted Arnott (Waterloo—Wellington): I found out about 10 minutes ago that I was going to be given the opportunity to speak to this motion this afternoon, so I haven't had very much of an opportunity to prepare. I'm surprised that the government has not put up another speaker to continue to participate in this debate. We have heard this afternoon from the member for Dufferin—Peel—Wellington—Grey—our party's leader—and the leader from the New Democratic Party, both of whom have expressed, in the lead-off speeches for their parties, serious reservations about the situation we're faced with today.

I must say, I take absolutely no pleasure in being expected to render a judgment by way of this House on the situation that the Minister of Transportation finds himself in today. But as I understand it, the Integrity Commissioner has brought forward a report to the Legislature based on extensive investigation and study, talking to all the people involved, and has brought forward his criticism of the conduct of the Minister of Transportation.

What we are talking about here this afternoon is the integrity of the Ontario Legislature, the standards that the Premier of Ontario has for his cabinet ministers and at what point the Premier asks a minister to step aside. As we heard earlier this afternoon, there are a number of examples, and I would argue there have been precedents in this place in the last five, 10 years whereby cabinet ministers, in terms of their responsibilities, were seen to have broken standards of conduct that were deemed to be appropriate. In some cases they offered their resignations without being asked and in some cases I'm sure the Premier of the day was expected to request the resignation of those members of cabinet.

I'm not sure what has transpired behind closed doors—perhaps only the Premier and the Minister of Transportation know—in terms of whether or not the minister was willing to offer his resignation in this case to save the government further embarrassment, but clearly the Integrity Commissioner's report is harshly critical of the Minister of Transportation in terms of his understanding of conflict of interest. It is equally clear that the Premier now has a decision to make as to whether or not he asks the minister to step aside.

We heard the Minister of Transportation come into the House this afternoon and give a speech that was, I thought, contrite. I would characterize it as such. He expressed serious misgivings about what he had done, but, obviously, he didn't offer his resignation today. I have to say to you, based on what I understand of the

situation, based on what I have read, based on what I have heard, this Minister of Transportation really has no choice but to resign because of the response of the Integrity Commissioner.

We in the Ontario Legislature have appointed an Integrity Commissioner going back to the late 1980s when the office was established. It was an important reform at that time to have an independent Integrity Commissioner responsible to the entire Legislature, not to the government. When situations arose, like the one the Minister of Transportation found himself in, and when a complaint was made based on the situation he found himself in, the Integrity Commissioner, in this case a respected former judge, would render a decision, would come back with a response and a report as to what ought to happen next.

It's my understanding the Integrity Commissioner has said that it's not his responsibility to determine whether or not someone should be in the cabinet, but to offer an opinion as to whether or not the rules were broken. As I said earlier, clearly this Minister of Transportation has broken the rules and has been found by the Integrity Commissioner as having done so. As such, a consequence has to result.

I'm very surprised that the Premier, to this point, has been prepared to stonewall. Obviously it was brought to his attention that the Minister of Transportation wasn't conducting himself within the rules when he visited his company, Chalmers Suspensions International, given the fact that he should have known and should have understood that being present during business hours at that company would demonstrate he was not holding his business interests at arm's length. Clearly, the minister either didn't understand the conflict of interest rules or didn't think they applied to him. In either case, I would suggest the sanction has to be that he step aside from cabinet so as to ensure that the integrity of the Ontario Legislature is upheld.

If the government continues to stonewall on this issue, I think what we are going to have to see in this House are quite a number of speeches throughout the course of the next few days as this resolution is debated. I can't speak for all my colleagues, but I know there is very serious concern within our caucus about this issue, not just for Mr. Takhar, not just for the Premier, but in terms of the integrity of the whole House.

I was pleased that our party's leader, the member for Dufferin-Peel-Wellington-Grey, in the context of his speech talked about his experience when he was running in the by-election in Dufferin-Peel-Wellington-Grey. I had the opportunity to canvass with him because part of his current riding is an area I represented for nine years in the Ontario Legislature, my old riding of Wellington before my riding was severed into three parts through redistribution.

He's quite right. We heard a great deal of concern at the door from people whose respect for politicians has declined as a result of actions that have been taken by, I would continue to argue, a minority of politicians over the years, but because of the high degree of publicity of these indiscretions that have taken place in recent years,

there is a public perception—and we all know it's out there. We hear it from time to time. I've found over the years that it seems to come and go in waves. There are times when the cynicism of the public is at a peak; at other times it seems to diminish. It's probably based on what the public observes in terms of their political institutions and what kind of leadership they see us providing.

Right now, it's my opinion that there is a great deal of cynicism in the public about political institutions and politicians. There are a lot of people who think we're all cut from the same cloth and that it's not an attractive one, that many of us are here to feather our own nests and not primarily to observe the public interest.

There are many who think we will say or do anything to get ourselves elected and to stay elected. I would suggest to you that the conduct of the Liberal Party during the last provincial election, to some degree, has further buttressed that perception and observation on the part of a lot of people, because it was clear that the Liberal Party and the leader of the Liberal Party at that time was prepared to say and do whatever he felt he needed to do in order to win that election.

Clearly, we have a challenge today as to how we are going to restore the public trust and ensure that the faith the public thinks they understand—

The Acting Speaker: Order, please. The conversation here has now become as loud as the person who has the floor, and there's a bit of one back there as well. Thank you. The member will please continue.

Mr. Arnott: Thank you, Mr. Speaker. I appreciate your assistance in bringing the members' attention to what I am trying to say because this is an important debate, and I think that over the course of it, we're all going to be expected to express our opinion as to what should happen in this instance.

As I was saying earlier, we have a real challenge as legislators to restore trust. Of course we need to have the public trust if we're going to provide leadership in our society, which is the responsibility ultimately that we are charged to pursue as an elected Legislature, as members individually, and of course as the government of the day.

Our party has been raising this issue on a number of occasions over the last number of months. This goes back many months. It goes back to April 2005 when the Minister of Transportation was first observed at his former place of business, where he clearly should not have been. Our party had to resort to the process of freedom of information to obtain information as to what was going on with the minister's schedule. It took many months. I'm not in a position to suggest that the government stonewalled the request for information, but the fact is that if it takes months and months to receive information that should be public from a government that would want to be seen as an open government, I'm sure, clearly this is not the case in terms of their tardy responses to freedom-of-information requests on these kinds of issues.

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We've had to pay for the records we were asking to receive out of our party resources, I gather, or our admin-

istrative budgets. Again, this has been going on since April 2005, and clearly the government is appearing to want to make it go away by just dragging it out and delaying it. Given the fact that the Integrity Commissioner brought forward his report early in the new year—I understand it was received or distributed to the interested parties on January 4, right after the new year, when the interest of the media was on the federal election and most people's interest in politics was focused toward the federal election that was starting to heat up at that point, culminating in the election of the new government on January 23—it would appear the government is making its best effort to make sure this doesn't end up on the front page of the newspapers. But this is an issue that is important and has to be seen as such.

I have some paragraphs that were included in the Integrity Commissioner's report, and I think it's important to put those on the record because I don't want it to be thought that it is just the opposition parties or me individually who have drawn this conclusion that a serious breach of the integrity rules has been observed here. It is in fact the Integrity Commissioner's report that has given us the reason to have this debate this afternoon.

I'm told by the people who compiled information for me on this that regarding evidence from a lawsuit against Mr. Takhar prior to Mr. Takhar becoming a minister, this relates to evidence given that Mr. Takhar never worked at Chalmers: "... the evidence from the lawsuit started by the minister's uncle establishes that, at least in the capacity of a consultant, the minister worked for the Chalmers Companies and that he did attend directors' meetings" in the 1990s. "It does ... undercut the evidence of Mrs. Takhar and Mr. Jeyanayagam, both of whom stated that the minister 'never' worked at Chalmers."

Regarding the notes of the April 29, 2005, meeting taken by Mr. Jeyanayagam, "I am skeptical"—this is what the Integrity Commissioner says—"as to the legitimacy of these notes. Perhaps my skepticism is in part caused by my concern as to why this meeting at Chalmers was held in the first place and why Mr. Jeyanayagam was invited to participate. Mr. Jeyanayagam's notes are in some respects detailed and in other respects somewhat vague. After the meeting had concluded, for reasons that I find somewhat bewildering, Mr. Jeyanayagam concluded his notes by referring to Mrs. Takhar making lunch arrangements, the minister going out to make some mobile phone calls and to the fact that Mr. Jeyanayagam went out to the parking lot with the minister."

Again, regarding that important meeting on April 29, 2005, and I believe I'm quoting from the Integrity Commissioner: "There is ... no doubt that the minister was egregiously reckless in participating in the April 29th meeting at Chalmers. He virtually invited a complaint by his conduct." The Integrity Commissioner chooses his words very carefully. He characterizes the minister's behaviour as "egregiously reckless," and he says that Mr. Takhar, the Minister of Transportation, "virtually invited a complaint by his conduct."

Regarding the appointment as Mr. Jeyanayagam as Mr. Takhar's trustee, the Integrity Commissioner has said this: "'Arm's length' is ... defined as a relationship in which there are 'no bonds of dependence, control or influence, in the sense that there is no moral or psychological leverage sufficient to diminish or possibly influence the free decision-making of the other.'"

"In practical terms, the statutory requirement that a minister's trustee be at arm's length with the minister means that the trustee will have no relationship beyond *de minimus*" which is, of course, a legal term.

"Provided that I was given all of the relevant facts," the Integrity Commissioner goes on, "that approval"—of Mr. Jeyanayagam nomination as a trustee—"gives the minister a complete defence.... I was not advised of the fact that Mr. Jeyanayagam was the minister's CFO for purposes of the Election Finances Act during the course of and after the October 2003 provincial election." This made Mr. Jeyanayagam the minister's agent at least for purposes of the CFO's duties as set out in the Election Finances Act. More importantly—I would point this out and encourage all members to think about this—"in December of 2004, Mr. Jeyanayagam was elected as treasurer of the minister's riding association. My office was not advised of that fact." Obviously, the Integrity Commissioner was very concerned about that aspect, that error of omission in terms of disclosure.

"As CFO, Mr. Jeyanayagam owed a duty to the minister to represent the state of his finances fully and accurately. He owed a duty of loyalty to the minister.... When Mr. Jeyanayagam was elected treasurer of the minister's riding association, the relationship between him and the minister could hardly be viewed as anything coming within the ambit of any accepted definition of an arm's length relationship...."

"The relationship between the minister and Mr. Jeyanayagam failed the test set out above once Mr. Jeyanayagam became treasurer of the minister's riding association and before that when he assumed the position of CFO"—again, that's the chief financial officer—"for the minister under the Election Finances Act. Thus, I conclude that"—and this is important—"the minister has breached s. 11 of the act and parliamentary convention associated with the establishment of management trusts by allowing Mr. Jeyanayagam to continue as his trustee after he became treasurer of his riding association and by failing to disclose that Mr. Jeyanayagam was his CFO under the Election Finances Act."

I would like to bring into this discussion a letter from the Honourable Coulter Osborne, the Integrity Commissioner, which was addressed to our party's leader on February 9, 2006. He wrote:

"The Honourable Gregory Evans, a number of years ago,... stated:

"Whether a member of the executive council remains in cabinet is not a matter for my office. It would not be correct to draw any inference that my recommendation ... has any relationship to a member's status as a member of the executive council."

Justice Osborne said, "I agree with his conclusion. I do not have the jurisdiction to advise the Premier or make recommendations as to who should be on the executive council."

Therefore, again, I think it's clear that the Premier has to make a decision as to whether or not he is going to allow a minister who has broken the integrity act, who has been found to be in breach of the integrity act—clearly, in black and white—to continue to serve in his executive council, and whether or not it is in the interests of the public and in the interests of attempting to restore public faith in our political institutions, in the Ontario Legislature, in the government of Ontario and in the members of the Legislature individually—whether or not the Premier feels it is appropriate to keep someone in his cabinet who has been found by the Integrity Commissioner to have broken the Members' Integrity Act.

I would submit to you that the course of action for the Premier, in my opinion, is clear: He has no choice but to ask Mr. Takhar to resign from cabinet so as to ensure that the integrity of the cabinet is demonstrated to the public as we go forward. I would hope that at some future date, if the Premier wishes to consider that there's another assignment that's appropriate for Mr. Takhar, there would be one forthcoming. But the fact is, this finding has been brought to our attention, and we have no choice but to deal with it. I would submit to you that the Premier has no choice but to ask for the minister's resignation as a result of the Integrity Commissioner's finding.

The Acting Speaker: Further debate?

Mr. John Milloy (Kitchener Centre): It's an honour for me to stand and join in this evening's debate about the Minister of Transportation. I had the privilege several minutes ago of joining with other members in the Legislature in hearing the Minister of Transportation's comments in regard to the Integrity Commissioner's report. Like all members of the House, I was moved by the emotion with which he spoke about himself.

I've come to know him over the past two years as a man of great integrity, as someone who has contributed so much to this Legislature and as a minister. As I say, I think all of us were moved by the emotion with which he spoke about having come to Canada as a new Canadian, about the success that he had in terms of his business, in terms of his family and, of course, in terms of public life: starting off being involved in the United Way, starting off being involved in the local hospital and in the general community, and going from there to be a member of provincial Parliament and serving there. So I think we have to begin there because we're talking about a human being here; we're talking about someone who has put aside his personal interests to serve the community and to serve the Legislature.

1740

The issue at hand is the Integrity Commissioner's report, and for those who are watching this debate, it's helpful to clarify exactly what was in question here in terms of the Integrity Commissioner's report.

There were three matters. The first matter is whether Minister Takhar had at any time used his position or knowledge gained as a minister to further the interests of his family-owned business. In other words, had he personally profited from this? I think we would all agree that that is a very serious accusation, and all of us should be relieved to know that the Integrity Commissioner found absolutely no merit in such an accusation. So on the first point, a very serious point, the minister was totally exonerated.

The second matter was whether Minister Takhar participated in the management of those companies after he was appointed minister—once again, a very serious accusation, and once again, the Integrity Commissioner found no basis for such accusations. Again, a man of integrity, a member of this Legislature, two serious accusations: exonerated.

The third point: again, a serious matter, but it had to do with whether Minister Takhar had put his assets into a blind trust and whether the commissioner of that trust had been appointed and had administered in a way which was proper. There, the Integrity Commissioner found that there was an error being made and advised the minister on how to correct the error. The minister apologized to this Legislature and moved forward.

The most important thing to realize is that this is about failing to inform the Integrity Commissioner about aspects of a trustee. This is not about putting taxpayers' dollars at risk; this is not about a minister using his position for personal gain; this is not about a minister funnelling money through crown corporations or any of the other deeds that had happened in the past that have been talked about.

I'd just like to again go on the record with my support for the Minister of Transportation and, in closing, quote the Integrity Commissioner's report, where, in his concluding remarks, he wrote, "Although I regard this as a serious matter"—and members on this side of the House certainly do—"I have to recognize"—this is the Integrity Commissioner—"that the minister did not go about intentionally trying to short-circuit the system. I accept his statement that had he realized that his arm's-length relationship ... was compromised, he would have taken steps through this office to straighten things up."

An error was made by the Minister of Transportation. He has accepted that error; he has apologized to the Legislature. On the very serious matters, the accusations about his personal gain etc. that were brought forward, he has been totally exonerated. All of us should recognize the Minister of Transportation as a man of honour, a man of integrity, accept his apology and move on with the important challenges that are facing this province.

Mr. Ted Chudleigh (Halton): This is an important debate. It talks about integrity; it talks about the way in which we, as members of this House, are viewed by the public; and it talks to the matter of how people in this House—ministers, members of opposition, members of government—make decisions and how those decisions affect the people of Ontario. We always hope that those

decisions that people make in this House are made with careful aforethought, careful research, and that they're made with the best interests of the people of Ontario in mind.

The Minister of Transportation made a bad decision. That is the crux of the matter here, but it is not really the issue. The issue is that he was found to be in error in his decision. The Premier knew he was in error in his decision and the Premier took no action. The Premier took a lot of action when those kinds of things happened when he was sitting over here and we were sitting over there. That amounts to a double standard, and that double standard has been exhibited by this Premier several times since he's become Premier. It's kind of a "that was then and this is now" philosophy.

I remember Chris Stockwell, who sat in this House. I was here, and I watched as day after day he was attacked by the now Minister of Finance and the now Attorney General, and he was eventually hounded from this House. Yet the Minister of Economic Development and Trade conducted himself in exactly the same fashion that Mr. Stockwell had. The minister knew this and the Premier knew this, and yet the Premier didn't ask for his resignation, nor was it offered. Now, that's a double standard. It wasn't okay then, but it's okay now because "I know how this thing worked and I know this minister, and I know that one cheap suit shouldn't stand in the way of a career." That minister made a bad decision, as did the Minister of Transportation. They made a bad decision. If you don't take action on that, on those double standards that this Premier seems to accept as a way of doing business, I guess you have to ask yourself, when should a minister step aside? Should a minister step aside—

Interjection: Never.

Mr. Chudleigh: "Never," one of the members opposite said. But when should a minister step aside? I believe a minister should step aside at the first legitimate complaint that is made against him, so that there is no question in the minds of the public that the integrity of this House sits at the very highest level; that integrity can't be negotiated.

I will point to the occasion when Bob Runciman, the member from down east, stepped aside. The issue he stepped aside on—it was an evening sitting, a Wednesday evening, I believe, maybe a Tuesday evening, and Doug Galt, the member for Northumberland at that time, was making a speech in the House. He had visited a young person's reformatory in his riding where a number of students had graduated with their grade 12 diplomas. This was a momentous occasion in their lives. These young people were very proud of this. They had been incarcerated in this home. They were young offenders. Without proper forethought, the parliamentary assistant to Bob Runciman at that time read out the names of those young offenders. Of course, identifying a young offender breaks the law.

The next day there were headlines in the newspapers about it. When the House reconvened at 1:30 in the

afternoon, Bob Runciman stepped aside. He didn't wait for an investigation by the OPP; he didn't wait for an investigation by the integrity officer. At his earliest opportunity, he stepped aside to let that investigation take place, and when that investigation had taken place and the Integrity Commissioner had ruled and the OPP had done their investigation over a period, as I recall, of three or four months, after all the facts were in and he was found blameless by all the people involved in the investigation, he retook his seat and retook his place in cabinet.

1750

In my opinion, that's exactly the way those things should be handled at the first sign to maintain the integrity of our government at that time, but also the integrity of this House, and that is not negotiable. The integrity of this House is of paramount importance to all of us.

I started in this business in 1995. I was elected on June 8, 1995, and all of sudden on June 9, my word wasn't worth as much as it had been on June 7 because I was now a politician. When I started working, after I got out of university, the first job I had was down at the Ontario Food Terminal. I worked for Ontario Produce down there. It was a great job; a wonderful place to work and wonderful people. That was in 1965, and in those days it was a very fast-paced business.

You didn't have computers in those days; you had little notepads, little forms that you wrote up your orders on. Someone walked by and wanted five cases of tomatoes. They would wave at you and say, "Save me five cases of tomatoes." You knew this guy a little bit—he was a customer—and so you'd write down "five cases of tomatoes for 135 Queen Street East" and that would be there. Tomatoes might have been short that day and there weren't too many around, but when that guy came back to fill up his truck at 10 o'clock—this was at 6:30 in the morning; things started down there at about 6. When that guy came back to fill up his truck, his five cases of tomatoes had better be there, and your word to keep those tomatoes for him had to be good or you weren't in business anymore at the Ontario Food Terminal. You were useless as a salesman if your word wasn't any good. That kind of integrity was throughout the food terminal and throughout the fruit and vegetable business. That was my first job. I grew up with that kind of integrity. Your word was your bond; if it wasn't, you were out of business.

The day after you're elected, I don't think that really changes. I don't think your word really changes, and yet the perception of the public is that it does. I think that's because of events like this, where at one time it was bad to do this and people had to step down, but now—

Interjections.

The Acting Speaker: Order, please.

Mr. Chudleigh: These are members of my own party who aren't listening, Mr. Speaker. It is rather embarrassing. These people over here are paying rapt attention.

Interjection.

The Acting Speaker: The member is attempting to speak to the House. We have been very good all afternoon. We have listened intently to everyone who spoke. You could have heard a pin drop through most of it. I know it's getting late, but he only has a few minutes left. I hope we can pay attention to him.

Please continue.

Mr. Chudleigh: Thank you, Mr. Speaker.

I'll give you another example of someone stepping aside. The member from Simcoe, Jim Wilson, also stepped aside. It was an evening when his assistant, his staffer, made a comment about medical information that was confidential. That was released in the newspaper and was blown up the next morning, and again—again—the same scenario held true. At the first opportunity when this House reconvened at 1:30 in the afternoon, Mr. Wilson stood up and took leave of his seat while that was under investigation. Again, the investigation took place over some months, and at the end, all those involved in the investigation—the OPP, the Integrity Commissioner—found that Mr. Wilson was harmless in the situation. I believe it was some time in December that he was welcomed back into caucus. I believe it was about the time of our caucus Christmas party, which he did attend, which made the whole thing kind of nice, that at that time of year he was welcomed back into the caucus, which he had absolved himself from because of something that took place through no fault of his own. In both these cases, it was a staffer who had made these egregious errors, and in both cases the minister stood down. I was very proud of them, and that is what I think the standard should be. That is what I think integrity around these kinds of things really means and really leads to.

The question, I suppose, is also what people perceive to be the right standards for ministers to conduct themselves at. There are all kinds of quotes—that's one of the things about being a politician. Every time you make a quote, it's recorded somewhere; Hansard records it. Sometimes it comes back and we'd just as soon maybe not hear that quote again, but there it is—another excellent reason, by the way, for never saying anything that you don't truly believe in, never straying over the line,

always conducting yourself with the utmost integrity, which is nothing less than the people who sent you to this place expect from you. So you always conduct yourself in that fashion.

Here's a quote: "The pillars of good government are leadership, responsibility, accountability and integrity, and clearly in this particular matter all four have been lacking. What we've had instead is indifference, recklessness and incompetence." Of course, that was a quote by Dalton McGuinty on June 28, 2001.

While he was making that quote, there was some talk that the minister—and this is the Premier speaking; this is a direct quote from the Premier, recorded in the *Toronto Star* on June 26, 1997: "The Premier had a last-minute huddle and, rather than making a decision on what was the right thing to do, they said"—and he's now suggesting this is what the Premier said—"Look, we've got one more question period," in Queen's Park this spring, "it's hot, people's minds will drift away from this issue. Let's ride this out." That's what he thought then—Premier Mike Harris said.

"We don't intend to give them that free ride," Dalton McGuinty later told reporters.

He's thinking that this is what Mike Harris said. But at the same time, that's a great insight into the thinking of the Premier. He's thinking, "This issue isn't that big. Let's ride it out. Let's see if we can ride this one out and get over it." That's what he thought we were thinking at the time and I think that's what he's thinking about this issue, and that's too bad. That's a sad thing for Ontario, because Ontarians are not getting the most integrity that they deserve out of a government. Thank you.

The Acting Speaker: Could I ask for the record: Was that the conclusion of your speech, or do you intend to do the next five minutes when we return?

Mr. Chudleigh: I would love to do another five minutes.

The Acting Speaker: All right, then. Fine.

Let the time be shown that it is now 6 of the clock, and this House stands adjourned until tomorrow at 10 o'clock.

The House adjourned at 1759.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Assemblée législative
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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 16 February 2006

Jeudi 16 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 février 2006

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

RURAL ONTARIO DAY ACT, 2006

LOI DE 2006

SUR LE JOUR DE L'ONTARIO RURAL

Mrs. Mitchell moved second reading of the following bill:

Bill 49, An Act to celebrate and recognize rural Ontario / Projet de loi 49, Loi visant à célébrer et à reconnaître l'Ontario rural.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 96, Mrs. Mitchell, you have up to 10 minutes.

Mrs. Carol Mitchell (Huron-Bruce): Mr. Speaker, as you know, I represent the most rural riding in Ontario, so I know first-hand what it's like to live, work and raise a family in a rural area. I'm very proud of our rural communities. Rural Ontario is the key to the health and the vitality of our province. This bill will recognize rural Ontario's strengths: hard-working people, numerous economic opportunities, bountiful and breathtaking natural resources and a solid sense of community.

This bill declares the Wednesday before Thanksgiving day in each year as Rural Ontario Day. This day falls in the middle of Ontario Agriculture Week. This week was established in 1998, and it provides recognition of the contribution of Ontario's agricultural community. Ontario Agriculture Week was established as a private member's bill, and it was put forward by former member Bert Johnson. That member was from Perth-Middlesex. I want to thank Bert for introducing his bill. I believe this is an appropriate time to declare Rural Ontario Day and also to highlight Ontario Agriculture Week.

The purpose of this bill is to have a day when we will reflect on the contribution that rural Ontario has made to our province and to highlight its great potential. The people of the First Nations opened the vast forests of Ontario. They were the pioneers who began to unveil the riches of this land. Their trio of crops—corn, beans and squash—were the first steps away from depending on hunting and fishing. Their technology had its limitations, and it was not until the Europeans began to settle that the

rural areas really started to open up. There were French settlers along the St. Clair River, and then the influx of the Loyalists. The history of Upper Canada is the history of rural Ontario. Our communities became strong as we faced and overcame the obstacles which geography had created.

Group action and innovation are the hallmarks, and working together for the common good is a thread that runs strong through rural Ontario. Rapid advances in technology made the land more productive and made transportation more economical. In the 19th century, towns and villages sprouted across the land. Progress was the word. Business followed the settlers, and manufacturers emerged to meet the local demands.

Schools and churches were built at almost every concession crossroad. If you look at the dates on the buildings in our towns and villages, you will note the date of construction. The early 20th century was the time when rural confidence manifested itself in very impressive local structures. Main Streets in many smaller towns have architectural gems from this time. The buildings showed a sense of achievement and confidence in the future. The period ended with the solemn cenotaphs that mark the contribution that our rural youth gave to the Great War.

The 20th century has seen great changes in the rural countryside worldwide. Again, it's technology that has triggered these changes. The population has shifted from a province where most of the population lived in rural areas, to the present, where the people live in our cities.

In the 20th century, the population began to shift. Again, technology was a major factor in making the urban areas important economically. Since the beginning, there has always been a gulf between our urban and rural areas. But technology changed that. Just as the first railway and the highways brought produce and people to the city, now technology has reversed that flow. As the world becomes global, first radio, television, electricity and now the Internet have reduced distances and the differences between rural and urban.

That brings us to today. Throughout the past years, many things have thrived in rural Ontario. Our rural people, when ignored by large financial institutions, turned to ourselves to create solutions. We invest in our own innovation. Credit unions, mutual insurance companies, independent phone companies, co-operatives—that's rural Ontario.

I want to highlight our unique health care services. As you know, people in rural areas have to travel a great distance to get to hospitals or health care providers. This

is a circumstance that our people have overcome. Many community groups have gathered together to offer modern services much more efficiently.

Many of our rural schools also face very unique challenges: With low enrolment, the threat of school closures hangs over. As well, busing expenses are high because of the large geographical area that they have to cover. But I must say that in rural schools, the families and the teachers work together to form a very strong community.

I want to mention the beautiful landscape and green space that rural Ontario has to offer: lakes, rivers, forests full of trees, wildlife, fields full of fresh produce, provincial parks and farmland. Many people from urban centres travel to rural areas to view our beautiful landscape. Rural Ontario has so much to offer: hiking trails, sunny beaches, hunting, boating, fishing. The land remains the most important influence and factor in our rural areas. Technology may change the means of making a living on the land, but the land is the essence of our rural life. It is the bond with the land that makes rural life different. Even if one does not earn one's living directly from the land, its importance is always felt as being our largest economic driver, which brings me to the summer months. Many exciting things happen in rural Ontario during the warm-weather months—and our warm hospitality during the winter months: live theatre, fairs, festivals and concerts, to name a few. Many people take advantage of all the events that we have to offer, and I know they always leave with a smile on their face.

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I would really like to recognize and highlight the strong sense of community that small towns and rural communities thrive on, as well as the wonderful volunteers who are committed to maintaining the high quality of life that we all enjoy.

There are many organizations that have been formed mainly to strengthen the voice of rural Ontario, and one of those voices is the Ontario Federation of Agriculture. I want to read into the record the letter of support from the Ontario Federation of Agriculture:

"Dear Ms. Mitchell:

"The Ontario Federation of Agriculture wishes to thank you for the development of your private member's bill, Rural Ontario Day Act, 2005.... OFA supports the recognition of Ontario's rural communities and the farmers who have built and supported these communities since the first settlements in Upper Canada.

"OFA certainly agrees that rural Ontario has contributed largely to the success and prosperity of Ontario. We also agree that it is Ontario farmers who have and continue to contribute to the fabric of rural Ontario.

"Our farmers need to see a future for themselves, and their families in agriculture if they are to be expected to remain as part of the fabric of rural Ontario. Our rural communities are growing increasingly anxious about their long-term futures—if the farmers can't survive, they know their chances are slim. Statistics show that in 2003, farmers spent \$5 billion on fuel, fertilizer, veterinary services and electricity and telecommunications services.

All of these services support rural Ontario businesses and citizens.

"The survival of these service providers, implement dealers, co-operatives and other small businesses ... depends on farmers paying their bills.

"The untenable situation of negative income on Ontario's farms can be resolved with comprehensive short-term, urgently needed assistance and long-term programs as proposed by producers from both levels of government to provide the stability ... for farmers and rural Ontario.

"Other nations have decided that farming and rural communities are worth protecting. Bold and decisive leadership by the Ontario and Canadian governments is required to maintain a rural Ontario worth celebrating each and every year."

Rural Ontario is home to committed people, diverse economic opportunities, plenty of natural resources and a thriving sense of community. Rural communities contribute to add to the high quality of life for all Ontarians. Through my private member's bill, I would like to declare the Wednesday immediately before Thanksgiving day in each year as Rural Ontario Day. I would like to thank the speakers who will be coming forward, and I look forward to further debate.

The Deputy Speaker: Further debate?

Mr. Toby Barrett (Haldimand-Norfolk-Brant):

Thank you, Speaker. I'll address Bill 49, An Act to celebrate and recognize rural Ontario. I guess the first question that comes to mind is, how does one celebrate and recognize rural Ontario, on one hand, and completely ignore the crises faced by farmers? I think we all recognize that farmers are the backbone of our rural way of life.

Over the last year, we have seen our farmers pushed to the edge of bankruptcy. Regrettably, a number of them have gone under. Farmers are on their knees. They need leadership, they need inspiration at a time like this, and the question remains: Where is that leadership? Where is that inspiration? Who do they turn to when the minister, who should be representing them, won't stand up for them herself? So this legislation does leave me with some questions. My question is this, what the Liberal government is offering today: yet another agriculture day, another day on top of Food Freedom Day, on top of the proposed Farmers Feed Cities day—I think that's slated for the same day—and on top of the already declared Ontario Agriculture Week. Nearly all of our sectors are either in crisis or about to be in crisis, whether it's cash crops, beef, tobacco, horticultural crops, cull cows, export, dairy heifers, deer and elk. Even beekeepers: Their costs are obviously more than what they're getting.

I can tell you that the signs I see at the various farm rallies—the most recent one was just this past Tuesday in Guelph—are not calling for yet another designated agriculture Day. I'm seeing signs like "Equity with US Farmers," for example. Having attended so many of these anti-government farm rallies—I'm aware of at least seven major rallies in the last 12 months—I've yet to see a farmer holding up a sign calling for a designated day. I

see signs, one in Guelph this week, like "Our governments are only good at three things: study, stall, and study."

Another motherhood piece of legislation. Now, this may look good on the 6 o'clock news tonight, but it does very little for farmers in their present time of crisis. They need help and they need assistance right now. As ag critic for the official opposition, I have had the opportunity to question the agriculture minister regularly on this need for action. Again, it's not only cash crops, but beef, tobacco, horticultural crops. For example, during the estimates committee last fall, I asked to what extent ministry staff are assisting farmers. Corn producers have some very good numbers people, but they need help from the Ontario government and from ministerial staff to assist them to work through and to come up with a viable risk management program that will get them through, at minimum, the next crop year.

The response from the minister was—and the admission was there—that CAIS, the Canadian agricultural income stabilization program, has not worked well for grain and oilseeds. That was five months ago. If CAIS is not working well, according to the minister, why is something not being done to fix it?

What do we get? Today is a good example: We get announcements. The minister did show up on Tuesday at the rally and brought greetings; nothing specific. We get a call for a designated agricultural day, but no real action to attempt to address the very real, very unfortunate choices that our farmers are being forced to make.

This government is now sitting under a deadline. It's an ultimatum. It actually came from a Huron county farmer on CKNX Wingham radio, a call for a March 9 deadline for this government to come forward with a risk management proposal. Here we are debating agriculture day; I'm not sure what kind of message that would send to our farmers.

I have an idea: How about members opposite, as government, finally beginning to recognize the problems? Then, let's celebrate what's left of rural Ontario by supporting farmers. They are being run out of business, and there is a concern that this government either doesn't understand or does not have the wherewithal to even deal with so many of these untenable financial situations that we see out there.

I made mention of that sign at the Guelph rally, "Equity with US Farmers." This was painted on both sides of a gigantic tanker truck that had been converted to haul corn. Why would a farmer paint a sign like that on both sides of his truck? In the United States—

Mrs. Mitchell: He did it while you were in government, Toby.

Mr. Barrett: I know the member opposite doesn't like to hear this. US farmers are receiving \$123 an acre in support for their corn. I suspect farmers in Huron county are getting maybe something in the order of \$7 an acre. How do those Huron county farmers, how do my Brant county, Norfolk county and Haldimand county farmers, my farmers on Six Nations compete on the Chicago

market? Maybe we need an Equity With US Farmers Day. We've essentially set up a situation—I compare it to sending David against Goliath, but in this case David doesn't even have a slingshot. Maybe declaring a rural day will help the bottom line for farmers; I'm not sure. I guess we put that into the "long run" category.

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I will wrap up. We have a number of speakers in the opposition who do wish to address this. But I remain concerned that the Ontario minister continues to fail to provide any details with respect to either a long-term plan or a short-term plan. I agree that this Legislature should do everything it can to celebrate rural Ontario and recognize rural Ontario, but I think it should start by recognizing the fact that if it doesn't act to support the people of rural Ontario—we're talking real action here rather than words—there won't be a rural Ontario to support at all.

Ms. Andrea Horwath (Hamilton East): I'm really pleased to debate this bill. Interestingly enough, people would think that because I come from Hamilton East, a bill dealing with the celebration of rural Ontario would not have much to do with me. But I have to tell you that that's not true. In fact, it's something that not only was part of my growing up, but also, when I was active on council in my local community, I learned a great deal about the value of the contributions of our rural communities to our city.

Hamilton is an interesting place. Although we are considered to be a city, per se, the vast majority of the land of the city of Hamilton is in fact rural. We have communities in Winona, Stoney Creek, Ancaster, Flamborough and Glanbrook that are all rural and that in many cases still maintain significant rural lifestyles and contribute significantly to the rural culture, if I could call it that.

Notwithstanding my desire to echo a lot of concerns and comments raised by the previous speaker—because frankly I did have some opportunity not only the other day but last year as well to hear from farmers, to hear particularly the other night from grain and oilseed producers about the concerns they have with the government's lack of activity around making sure they're going to be able to maintain their farms, that they're going to be able to continue to feed cities. In fact, I was quite interested to learn that at this point in time they're considering it to be pretty much a crisis. Of course, right now people are trying to determine what they're going to be doing in terms of planting their crops, which is just several weeks down the road in terms of the calendar. So they're very concerned about their ability to make a go of it in this farming season. When I say that they're telling me it's a crisis, I'm not saying that with any hyperbole at all, but simply reflecting their deep concern that the government has not yet made a commitment to stable, long-term solutions to the farming crisis. Again, I understand that there have been attempts both federally and provincially, apparently, at one-time emergency types of funding. But as you can well imagine, these farms are businesses and

they need to have an understanding of not just their short-term but medium- and long-term investments and requirements for labour and for seed and for all of those equipment investments that need to be undertaken in a way that is planned and organized, and not off the cuff in response to perhaps some hope that there will be stabilized systems in place for them to rely on as they continue to feed our cities, or continue to desire to feed our cities.

One last point on that: The other thing that's disconcerting or concerning is the tendency towards, because of this destabilization, because of this lack of commitment, because of this sense that governments are not hearing the concerns they're raising, there are almost no—I shouldn't say "almost no." What I was told by people I was speaking to is that there is a significant concern about the lack of willingness and desire for the family farm to be handed down to younger people. What you see is that the average age of farmers is now in their 50s and those farmers' children are not willing to take on the risk of running the family farm. We're quickly going to be losing the very agricultural rural heritage that we're looking to celebrate in this bill if we don't do something really significant to assure not only today's farmers but their children that the farm is a good future to invest in, that it is a good place to raise a family and undertake a business that will feed people across Ontario, and in fact across the nation.

Having put those concerns on the record, I wanted to talk a little bit about what a great experience it was for me growing up in the community of Stoney Creek, which, when I was growing up, was a lot more rural than it is now. Unfortunately, a lot of urban sprawl has taken place and there has been a great deal of development in sensitive farmland areas. The Stoney Creek I grew up in doesn't look very much like it did when I grew up there. But I did have the opportunity not only to visit farms but to have friends whose families were farmers and who had horses and barns and all kinds of animals and crops. It was quite a wonderful experience. Interestingly enough, I was speaking to one of my colleagues, the member for—where is Michael Prue from? Somebody help me.

Mr. Shafiq Qaadri (Etobicoke North): Beaches—East York.

Ms. Horwath: Beaches—East York.

Interjection: He's your seatmate.

Ms. Horwath: He's only my seatmate. I know; isn't that funny? I'm thinking about rural things, not city things. Anyway, Michael and I were talking about some of the farming issues that had been raised with us around the grain and oilseed producers. He indicated to me, believe it or not, that he has never, ever in his life been on a farm. My understanding is that he's going to undertake that experience at some time this summer. But I found it interesting. One of the things I've learned as I've become more aware of the differences between, for example, where I grew up and where many other people experienced their lives in the province of Ontario is that oftentimes people don't have the experience of farming,

of understanding what that lifestyle is all about and how different, unique and wonderful it can be compared to living and growing up in the cities. There have been efforts made, I know, in many cities to provide opportunities, for example, for children to visit farms so they don't end up like the member from Beaches—East York and be of that age—I don't know how old Michael is exactly—never having had the opportunity to experience a farm.

That was a great pleasure for me. In fact, there were members of my extended family who operated farms, and every summer we would have a family gathering at this particular farm. Again, to the issue of what's happened to those farms, I know there's no longer farming happening in my family, extended or otherwise. I think it's indicative of the way of the future if we don't deal with how to support farmers and their efforts and their ability to compete.

The great thing about agricultural and rural communities, in terms of celebration and recognition, is that oftentimes they provide their own opportunity for local communities to come and celebrate with them. I think about things like the fairs we have—in Hamilton, being surrounded by so many of these great communities, we have everything from the Winona Peach Festival on one end—that I always went to every year as a child and into my teens because it was the thing to do. Peaches were being grown more or less just down Highway 8. We'd pack up the car and the family would go. The big talk for a couple of days would be who had the best peach sundae and did we buy peach jam or peach pies? All kinds of issues that we talked about during those weeks surrounding the peach festival were part of life for us. It was a great part of life. Something that we anticipated every year was, are we going to the peach festival? What day are we going? Who all is going? Can we go more than once? We used to drive our parents crazy just wanting to make sure that we got our chance to go to the peach festival, because it was such a great time and such a very close community event.

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There were all kinds of things going on there. It wasn't just the food—for me, it was just the food—but there was entertainment, there were all kinds of different events, there were community groups and organizations that people could connect with, there were games. It was just an amazing time.

But that was just on the one end, on the Winona side. Of course, on the other side of the city or above the city, we had the Ancaster Fair and the Binbrook Fair. We had all of these opportunities, living in a city where any one of those would take maybe 20 minutes maximum to get to. From being right down in the city, you could get to any one of these agricultural celebrations or fairs within 20 minutes—some quicker, obviously, and some took a little longer, depending on where you lived in the city.

I have to say that I think that's something that's quite unique. I think there are many people in Ontario who have not had the opportunity not only to attend these fairs

but to have them as part of their lives. I'm certainly going to be supporting this bill because I think the celebration and recognition of rural Ontario is something that is extremely important and something we should all value. I only wish there was a way to ensure that every single person in Ontario, and particularly every single young person, would have an opportunity to see the unique nature of the agricultural community, of the rural community of rural Ontario.

Some people will have that experience the way I had it. Other people, as the member bringing forward the bill indicated, will experience rural Ontario through perhaps a summer vacation or trips to cottage country. Again, I certainly feel very privileged that, not only as a young person when I was growing up—my dad was an auto worker, so we had the ability, once in a while, to go up north as a family and do some camping and fishing. I can still remember the day I caught my first fish. I don't think I've caught many fish since then, because it's certainly not a skill that I've been able to hone over the years. But I have those memories and they're very valuable to me.

A lot of the times when I think about my family experiences, they were often within that context. There was the one when our two-lane dirt road in Stoney Creek became a four-lane highway, almost to the QEW. But many of my memories as a young person are around family experiences in rural Ontario, whether those family experiences were the camping or fishing trips, whether they were my dad taking us to the fairs here in Toronto, to the Royal Agricultural Winter Fair—I can't remember the exact terminology—or whether it was the times when I went to the Winona Peach Festival or the Ancaster Fair or the Binbrook Fair. I've tried to take my son to some of those events. We've been to the Winona Peach Festival. He's 13 now. I don't know if I'll get him there this year, but certainly he's been there a couple of times in his life—the Ancaster Fair, the Binbrook Fair.

In celebrating that, we have to also acknowledge that there are threats to that way of life; there are threats to that piece of our lifestyle and our experience. They're under threat not only because of the issues we were talking about a little earlier in terms of stable funding and programs to assist farmers in the fluctuation of world market prices for their product, but also in terms of the broader threats to the environmental wellbeing of our communities. I think there are some things that have been done in that vein, but I get concerned that there are also many looming threats around what may happen to our agricultural areas.

I can remember being at a reception not too long ago where the Ladies of the Lake were talking about the threats to some of our Ontario watershed—I believe it was Lake Simcoe, if I'm not mistaken—and concerns about the encroachment of development in those areas, not only traditional development in terms of the expansion of cities, but also encroachment by cottagers on some of these areas.

Again, I think if we are going to be celebrating and recognizing rural Ontario and agricultural communities

through Bill 49, we also have to redouble our efforts and recommit to not only the planning principles and the environmental principles that will safeguard those communities for generations in the future, so that we can celebrate them and feel positive about them far into the future, but also making sure that the ability for people to maintain those farms and to continue to have strong agricultural production in our province is paramount. The government really needs to look at how we can put some stable programs in place for the long term for these small businesses.

Mr. John Wilkinson (Perth–Middlesex): I just want to start off by commending my colleague the member from Huron–Bruce. I want to tell all the people in this House that there is no member who has more of rural Ontario in her riding than Carol Mitchell. I come from the riding of Perth–Middlesex, which I am proud to say is the most productive agricultural riding in the entire country. If you want to talk about rural Ontario, in my riding I actually have the beautiful city of Stratford, with some 30,000 people, but each and every community in Carol's riding is rural. That's why I'm so happy to support my colleague as she promotes Rural Ontario Day as part of Ontario Agriculture Week.

I want to say that my predecessor, Bert Johnson, who at the time was the member for Perth county, is the one who introduced Ontario Agriculture Week. I thought it was very forward-thinking of him. I know it enjoyed the support of the entire Legislature. I think Bert has always been committed. I refer to him in the riding as the father of Ontario Agriculture Week, but I think we're going to have the new mother of Rural Ontario Day in this province, because I get a sense from everyone here that we are going to pass this bill and move it forward, and I commend it.

To come from my riding—I know that the member from Hamilton East was talking about her colleague, her seatmate, the member for Beaches–East York. We were on a bus together, we were on pre-budget hearings, and we drove through my riding, from the Middlesex part to Stratford. I don't think Michael had ever been in rural Ontario, and I invited him to come. That long trip was only halfway through our riding. We have large ridings. We have land; we have space. But despite the land and the space, we have community, and that is the essence of rural life, the fact that our community comes together as family, connected to the land. What we know and what we want to share and always promote with all of our colleagues in suburban and urban Ontario is that everything comes from the land and everything goes back to the land. If you live in a concrete world, you lose that. It's up to us as rural members, despite the fact that we are a minority in this House reflecting Ontario's population—it's important that we do that.

I want to commend the member. We were on the standing committee on finance and economics affairs together and we had three eminent economists come before us. One of the economists was Roger Martin, the head of the Rotman school of business, and he was

talking about something he refers to as the prosperity gap. The member for Huron–Bruce, the most rural of ridings, asked him to comment about rural Ontario, because there's this myth that somehow rural Ontario is not prosperous and does not contribute. He said no, his research shows how strong the rural economy is, how prosperous, how it has advanced because of technology. It isn't some backwater; it makes a huge and important contribution. Agriculture and agrifood are the second-largest industry in this province, something that we can never forget.

I think Rural Ontario Day will go a long way in reminding all of us in this House and right across this province what a tremendous resource we have in our roots. That's why I'm supporting the member.

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Ms. Laurie Scott (Haliburton–Victoria–Brock): I too am pleased to have the opportunity once again to speak about rural Ontario and agriculture in the Legislature this week. My colleague from Haldimand–Norfolk–Brant and I have been speaking this week because there have been a lot of protests this week trying to get recognition by the government here that we need action to be done. When the member from Huron–Bruce brings in An Act to celebrate and recognize rural Ontario, we are certainly supportive and pleased at the opportunity, but hoping that this is going to lead to actual action on this government's part to help our farmers.

Joe Hickson, who's from my riding, helped organize the Unified Voice for Agriculture/Farmers Feed Cities rally in Guelph, and some of my constituents, Bruce Webster and Dale Mountjoy and many others, were here at Queen's Park and delivered the postcards of the Unified Voice/Farmers Feed Cities to try again to impress upon this government that the need for action is now.

Mr. Jeff Leal (Peterborough): Joe is a great guy.

Ms. Scott: Joe is a good guy. Thank you. The member for Peterborough is commenting.

March 9 is the deadline they're giving to us. They're going to Ottawa on February 21. They need both levels of government's attention and they need the action now. They have given the date of March 9, and I'm hoping they're going to be able to get action from both governments on that, because it is planting season. As we know, this has been—I think my colleague mentioned seven protests. Ever since I've been here, the farmers have had to come to Queen's Park or go to Ottawa to demand action. We need to listen to them.

This day, as I said, is nice. We all want to praise rural Ontario and respect its roots, as was mentioned before by the member from Huron–Bruce. But there's a list: The farmers have gotten together and worked hard, and the Unified Voice for Agriculture has given a list that they developed themselves in the agriculture sectors. It's a commitment they need:

“A commitment to viable risk management and income support programs;

“Implementation of the risk management program for grains and oilseeds, with an interim payment to flow as soon as possible;

“An immediate down payment on other long-term programs to provide assistance for the millions of dollars lost by horticultural and livestock producers;

“Extension of horticulture's self-directed risk management program until the newly designated SDPI program can be operational;

“Adoption of inventory valuation changes to CAIS retroactive to 2003-2004;

“Provision of loan guarantees of up to \$100,000 per farm for dairy heifer producers to avoid financial collapse;

Recognition of and provision for the deer and elk industry's new partnership with Ontario, including the cervid transition, genetics and market research and development programs;

Provision of the promised \$6 million towards a cull cow program.”

I had to read that list. I wanted to get it in because they have worked together and have come up with a solution. They're going to both levels of government. We have the opportunity here again today to promote what they need. They need a fully funded long-term risk management program and they need it now.

I come from a very rural riding, Haliburton–Victoria–Brock. The city of Kawartha Lakes in my riding is the third-largest agriculture employer in the province. Every day I'm out in the communities and I speak to the farmers. Some of them will be here this weekend for the 160th anniversary of the Ontario Agriculture Societies; they have their annual convention at the Royal York. I wanted to put in a plug for that, that they even come to the city and they promote agriculture and tourism.

I know I have to share my time with the member from Simcoe North. We support this, and we want action by the governments, federal and provincial. I'm pleased to have the opportunity again today to speak to the agriculture crisis.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I'm certainly glad to be able to speak in support of An Act to celebrate and recognize rural Ontario.

Rural Ontario is changing, just as everywhere else in the globe. We know that agriculture still remains the most important part of rural Ontario. We also know that a lot of people are making the choice to move to rural Ontario. A lot of things are causing them to do that. They're looking at things like the idea of open spaces, less traffic; they want to see the natural resources we have there, such as the lakes, the rivers and the forests. They also want things like access to recreational activities. They have the possibilities of trails and snowmobiles, all those kinds of things. But I find that the thing that draws them the most to rural Ontario is the sense of community. There's a very strong sense of community in rural Ontario. So it's clearly time that we start to celebrate rural Ontario with a day that is dedicated to recognizing the qualities and the people that make that happen. Our rural communities do

contribute to the high quality of life that all Ontario enjoys.

In 2005, shortly after being appointed as the parliamentary assistant for rural affairs, I had the opportunity to travel throughout Ontario as our government developed its rural plan, and that plan is called Strong Rural Communities Working Together for Success. In that rural plan we came up with four themes—strong people, strong economies, better health, and success for students—and we've enjoyed some successes in those endeavours.

In success for students, one of the things that happened when we first became the government—most of us during the campaign heard from our rural constituents about the issue of keeping rural schools open, so we came up with the keeping good schools open program, which is a \$31-million program to do just that.

Just recently I had the opportunity to be with Minister Kennedy when he announced the Lighthouse program, and in the Lighthouse program we are putting agriculture back into the curriculum. Along with that, we are also using the 4-H program. Those of us who come from rural areas are very familiar with the 4-H program, and I'm sure people in other areas have also heard about it. I have to apologize to my leaders, because although I still keep my collection of silver spoons from my 4-H days, I certainly haven't polished them in a while. I know some people who display them with great pride; they're polished and they are there in the numbers to indicate the number of clubs they had finished. And 4-H was a very important part of rural education. It not only taught you about livestock—it didn't teach you just about agriculture; it taught you life skills. We talk about having healthy food. We learned things such as how to prepare that food so we could retain the health benefits in that food. We learned things such as budgeting, parenting issues, all those things that help you in day-to-day life as an adult. That was through 4-H. It's been there for absolute decades, and I think we've all benefited from that.

Those are just some of the things that I think are very important in rural Ontario.

At this point, I'm going to leave this to my counterparts, who I'm sure want to speak on this, but I want to say that I certainly do support this bill. I think it's very important to recognize rural Ontario with a day that's dedicated to just that.

Mr. Garfield Dunlop (Simcoe North): I'm very pleased this morning to stand and support Bill 49, An Act to celebrate and recognize rural Ontario. I compliment the member for bringing it forward. As the member for Huron–Bruce said many times this morning, she has a very beautiful rural riding, and I'm pleased that she recognizes that, as well as the fact that we could name a day after it.

I was pleased to hear the member for Perth–Middlesex mention that our former colleague Bert Johnson brought in Ontario Agriculture Week. I have to tell the members, particularly of the government, that I'm very dis-

appointed. When the Progressive Conservative Party was in government in Ontario we celebrated that week. We had breakfast here during rural Ontario week. Since the Liberals have taken power, I have seen no recognition whatsoever of Ontario Agriculture Week. So if we do pass this bill, and I'm assuming we can pass it here today and go to an agreement to see it become law, I hope the government will recognize that we have a Rural Ontario Day and an Ontario Agriculture Week, both brought forward by members of this Legislature, both from rural ridings. I appreciate that.

As Ms. Scott mentioned earlier, agriculture plays a very important part in our economy here in Ontario, and I think everyone here must recognize the very, very difficult time that our producers are facing here in our province. Just as an example, I have a clipping here from FM 102 CKNX in Wingham: "Guelph Rally Not the End." I'll just read it into the record:

"One of the organizers of today's Guelph rally says this won't be the last governments will hear about the farm income crisis. Another rally is set to take place in Ottawa next Tuesday. One of the organizers, Huron county farmer Bev Hill, says they'll continue to lobby until the proposed risk management program is implemented. Hill says they are giving the government a March 9 deadline, noting farmers don't have time for study and stall tactics.

"He says many will be going to the fields within the next few months and money is desperately needed to help get the crop into the ground."

1050

That's a message I'm hearing continually wherever I go. I've been to a number of rural meetings, agricultural meetings. We have agriweek in Simcoe county every year. It's the third week of January. I was at the Barrie Event Centre every day, and you know what? I was the only politician who arrived at the Barrie Event Centre for agriculture week. No one from the government came up for agriculture week—no one whatsoever: the parliamentary assistants or anybody from the rural Ontario sections. That's a very important week to the farmers in Simcoe county, which is of course the largest county in the province of Ontario. So that was disappointing.

Our critic, Mr. Barrett, mentioned that the Farmers Feed Cities want their day on exactly the same day as the member is calling for in Bill 49: the Wednesday before Thanksgiving.

I will be supporting the bill, but I do want to make it clear that I don't think the government is doing nearly enough to help our agricultural partners.

M. Jean-Marc Lalonde (Glengarry–Prescott–Russell): C'est avec plaisir que je viens prendre part au projet de loi intitulé Loi visant à célébrer et à reconnaître l'Ontario rural, parrainé par ma collègue d'Huron–Bruce, une personne engagée sans réserve au développement du secteur rural. Elle est aussi l'adjointe parlementaire au ministère de l'Agriculture et des Affaires rurales.

Selon Statistique Canada, le recensement de 2001 démontre que 95 % du territoire total de l'Ontario est

considéré rural et compte plus de 4,5 millions de personnes, soit 39,7 % de la population ontarienne.

Le Jour de l'Ontario rural permettra aux Ontariens et Ontariennes de célébrer la richesse de son histoire et, d'autre part, de reconnaître la situation actuelle et de s'occuper du développement futur des régions rurales de l'Ontario.

Le gouvernement McGuinty reconnaît l'importance du secteur rural depuis son élection d'octobre 2003. En voici quelques exemples :

—plus de 31 \$ millions ont été investis pour garder ouvertes nos bonnes écoles rurales;

—un fonds de 512 \$ millions a été créé pour développer nos installations d'éthanol;

—20 \$ millions pour donner accès à nos communautés à nos écoles après les heures de classe.

Il y a aussi les centres de santé communautaire dont nous avons fait l'ouverture dans plusieurs régions rurales de l'Ontario, tels que celui de Bourget, dans ma circonscription.

Je suis natif de la région rurale, d'un petit village nommé Saint-Pascal-Baylon, dans la belle circonscription de Glengarry–Prescott–Russell, un endroit où il fait bon vivre. J'invite la population urbaine à faire une randonnée dans les secteurs ruraux et voir de près les produits de la terre qui se retrouvent tous les jours sur nos tables. Oui, ces produits proviennent de la ferme du secteur rural. Nous avons de beaux endroits touristiques à visiter dans Glengarry–Prescott–Russell, dans le secteur rural : le zoo Papanack de Wendover; la production théâtrale L'Écho d'un peuple, à Casselman; les Glengarry Highland Games de Maxville.

L'appui des membres de cette Assemblée est très important afin de pouvoir reconnaître officiellement cette année, en 2006, le premier jour officiel de l'Ontario rural.

Mr. Bob Delaney (Mississauga West): In rural Ontario, the early-morning peak period in which commuter traffic is at its densest has a different nickname than it does here in the bustling greater Toronto area. In rural Ontario, they call it “rush minute.”

“Rural” no longer means only agriculture. Indeed, a look back into Ontario's past shows that it never really has. That quintessentially Canadian, elegantly simple implement of manufacturing excellence, the Robertson screw, was invented in what was then rural Ontario. Anyone who has ever tried to use a flat-headed or a Phillips screwdriver on any kind of an angle appreciates the sensible design, simplicity and true genius of this rural Ontario invention.

Our Ontario government's many initiatives in decentralized, renewable energy will soon be enabling rural Ontarians to access reliable and abundant local electrical energy. That leadership and inspiration by our government will mean that Ontario's farms, already among the most efficient and productive in the world, will continue to remain at the leading edge in the use of technology in all facets of agriculture.

Let's not minimize the challenges before Ontario's agricultural sector even as we celebrate its contributions

to our province. Here in the GTA, I represent a riding that is home to many businesses that are major purchasers of rural Ontario agricultural products. Food processors here in the GTA sell their products not merely in Ontario but throughout Canada, into the United States and all over the world. Healthy food processing businesses in places like Mississauga mean excellent markets for Ontario's farmers, and yet we have challenges to overcome.

The rising Canadian dollar is an indicator of the health and strength of the Canadian economy after recovering from nine long years of irresponsible Conservative deficit spending in the 1980s and 1990s. But a strong Canadian dollar means that Ontario agricultural products become more expensive when they're exported.

Ontario's grocers need to do better, and I mean much better, in supporting Ontario's farmers. Those packaged salad mixes that could and should be grown, packaged and bought in Ontario invariably come into Canada from the United States, en route to your store shelves. Nobody can say that US products are better or even cheaper because US grocers stock their shelves with Canadian farm products. Shop at Wegmans in New York and see where their vegetables and packaged mixes come from. Then look in Ontario at Dominion, Loblaw's, Sobeys, Longo's and others and see where their packages come from.

Rural Ontario is very much a factor in our lives here in the city. Bill 49 gives us an event around which we can work collaboratively to make rural Ontario an even better place to work, live, play and raise a family.

The Deputy Speaker: Further debate? Ms. Mitchell, you have two minutes to reply.

Mrs. Mitchell: Rural Ontario Day Act, 2006, will help protect and recognize rural values. I want to thank all those who spoke today: Haldimand–Norfolk–Brant, Hamilton East, Perth–Middlesex, Haliburton–Victoria–Brock, Lambton–Kent–Middlesex, Simcoe North, Glengarry–Prescott–Russell and Mississauga West. The voices that spoke today are very much in support of promoting rural Ontario and protecting the values that make rural Ontario what it is today. The passing of this bill will demonstrate the recognition that this House will place on rural Ontario.

I'm very proud to represent the most rural riding in Ontario. I am probably biased, but I also believe it's the most beautiful riding in the province of Ontario. As our second-largest industry is tourism, it's certainly shared amongst many people across the world.

My colleagues have supported me today, as have the official opposition and the third party. I want to congratulate everyone who spoke so well and talked so well about rural Ontario. I'm sure this will go forward and become a successful private member's bill. I look forward to celebrating the day and I look forward to celebrating agricultural week.

Thank you, Mr. Speaker, for allowing me the opportunity to present my bill today.

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VISUAL FIRE ALARM
SYSTEM ACT, 2006

LOI DE 2006 SUR LES SYSTÈMES
D'ALARME-INCENDIE
À AFFICHAGE VISUEL

Mr. Arthurs moved second reading of the following bill:

Bill 59, An Act respecting visual fire alarm systems in public buildings / Projet de loi 59, Loi sur les systèmes d'alarme-incendie à affichage visuel dans les édifices publics.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 96, Mr. Arthurs, you have up to 10 minutes.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): It's with great pleasure that I rise this morning to speak to my private member's bill, Bill 59, an act that would provide for visual fire alarm systems in provincial and municipal buildings. This particular legislation is focused on public buildings in both the provincial domain and in the municipal domain, and it will provide for equipping them with a visual means to identify fire alarm systems. I think the need is self-evident. It's a simple matter of protection for those who are deaf, deafened or hard of hearing. It's a fundamental right in our society for individuals to be able to provide for self-protection in the event of an emergency situation.

What does Bill 59—a visual fire alarm system—include? What is it contemplating? The bill itself is quite straightforward. It's not complex in its wording nor in its intent:

“(2)(1) A visual fire alarm system shall include a strobe beacon or similar feature that is sufficient in the circumstances of the public building to alert people who are deaf or hard of hearing to the fire alarm.

“(2) A visual fire alarm system may include a feature that electronically displays messages in respect of the fire alarm, including some or all of the following messages:

“1. The fact that the fire alarm has been activated.

“2. Information on the appropriate response, including where to evacuate the building.

“3. Information on the nearest exit.”

For those of us who have sound hearing, sound sight and full capacities in other fashions, the fire alarm provides a signal for us to act. For those who are hearing impaired, for those who are deaf, an auditory fire alarm means nothing to them.

In consultations, I've had stakeholders who have expressed considerable enthusiasm and support for the bill in question. A number of those stakeholders and other interested parties are here today, and I want to thank them and offer the opportunity for you to join me in welcoming them here this morning. If I can, I'd like to identify, in a short period of time, some of the organizations and individuals who have taken the opportunity

not only to be here but to provide input and advice on the developments of the bill. These individuals and associations include Mr. Gary Malkowski, who members in this Legislature will know and acknowledge as a former member of this Legislature, Kelly Duffin, Jo Ann Bentley and Joyce Lange from the Canadian Hearing Society; Bev Dooley, Ontario Interpreter Services; Karen Walker from George Brown College; Dave Hamen from Durham Deaf Services; Ian Gadsby from ONESTOP Media; Susan DaDalt, Silent Voice, Community Services for the Deaf; and Kim Reid from Happy Hands Preschool, the Bob Rumball Centre for the Deaf. These are but a few of those who have contributed and had insight and input into the bill, and encourage its debate and adoption. And, of course, ASL interpreters, who are such a critical resource to those who are hearing impaired or those who are deaf.

In my role as an MPP, I have the privilege as well of serving as the parliamentary assistant to the Minister of Finance. At about 10 o'clock this morning, my BlackBerry went off on its vibrating mode—as opposed to its auditory mode—and my two staff members each sent me an e-mail saying they were just leaving or were standing now outside of the Frost building as a result of a fire alarm. They thought it rather ironic that this morning I would be presenting a bill on establishing visual fire alarms for those who need that resource at the very same time they were standing outside the building as a result of an auditory fire alarm.

We take for granted, I think, those of us who have a full set or a different set of abilities, certain kinds of community activity. When I drive down the highway and there are emergency vehicles, it never really occurred to me until I started to develop the bill and talk to the stakeholders that if a fire truck comes up behind you, if you have hearing, you can hear it, and if you have sight, you can see the visual alarms. Similarly, if a police vehicle approaches you, you can hear the siren and you can see the flashing lights, and if an ambulance comes roaring up alongside, similarly, it has both visual and auditory clues. Most of us take that as a very natural environment. Why would it be any less natural for us to provide exactly the same level of signal to both those with hearing impairments and those without? Why not establish in public buildings a visual means to respond to an alarm? It seems so natural to us in our everyday lives to expect that. I think if we saw the fire truck, the police cruiser or the ambulance approaching or passing us, and all we had were the auditory alarms going off, we would trigger something, saying, “Why aren't the lights going on that particular vehicle?” So for us, it's natural. For others in our community, it's not quite so natural.

Who in the province of Ontario and those who visit would this bill affect? According to the Canadian Hearing Society, almost 25% of people report experiencing hearing loss, although closer to 10% would actually identify themselves as deafened or hard of hearing and would use interventions such as hearing aids or other forms of amplification. About 1% of our general popu-

lation is culturally deaf and uses sign language. That means there are probably some 1.3 million Ontarians, or more, who require accommodation for hearing loss. That's a significant portion of our population. In my view, they have the right to self-protection in the event of emergency. What better place to start than in those public buildings either directly under our control as provincial government or with our municipal partners?

The average age of those experiencing hearing loss is some 51 years; although nearly one in four of those with hearing loss are under 40, seven in 10 are under 60. With an aging population, with a growing population, the issue of hearing loss and hearing impairment will grow in numbers. The deaf and the hard of hearing are not as easily identifiable. I know this from personal experience. I have family members, both a child and an in-law, who suffer hearing loss. You become acutely aware of the need to do specific kinds of things to assist them.

My child has only partial hearing loss and has a hearing aid. When he's not using that, though, for all practical purposes, he's a member of the deaf community. I've learned to speak directly to him. I've learned that when he's on my right side and I speak to him, he's not going to hear what I say. I've also learned over the years not to say to him, "Did you understand what I said?" because he understands exactly as much as he hears. Unfortunately, at times, he needs to fill in the blanks if I'm not being precise and clear. So I've personally become acutely aware.

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Probably eight in 10 Canadians have either co-workers or family members who have hearing loss of one degree or another. So this is a matter that affects all Ontarians, for all practical purposes, but most particularly and obviously, those who have hearing loss, significant hearing loss or deafness. They deserve the right to self-protection. They deserve the right to control their own lives in the event of emergency. I hope the Legislature, during the debate, will support this private member's bill.

The Deputy Speaker: Further debate?

Mr. Ernie Hardeman (Oxford): It gives me pleasure to stand up today and debate this bill that's been introduced. Let me have a look at it here, the proper wording: An Act respecting visual fire alarm systems in public buildings. I commend the member from Pickering-Ajax-Uxbridge for bringing this bill forward. As we look at all the things that are happening in our society, it wasn't that many years ago that fire alarms were not mandatory in buildings and homes. You see some of them implemented, and then you hear stories about things that happened to people because the batteries were not working or the alarm was not loud enough because it was not in the proper place. We have disasters in our society that could have been avoided had there been proper alarms.

As the member's bill puts forward, it's very important to recognize that the ability of hard-of-hearing and deaf people to deal with the sound alarms puts them in the same position as people who cannot hear the alarm because it didn't go off because the battery was dead. In

fact, what we are doing is depriving them of the ability to be warned of a dangerous situation because we decided not to implement that in the bill. I think every member in the House would support the implementation of such a bill to make sure that we make everyone's basic rights protected, we make everyone as safe as possible in the environment in which they live. So I commend the member for doing that.

Having said that, I do have some problems. The bill, of course we would all know, is a one-page bill that just says that this should be made mandatory in all public buildings and all municipal buildings. But it doesn't speak to an implementation plan or what that actually means, whether we're going to have it in all public buildings as they're being constructed or whether, when this bill passes third reading, we're going to have a process whereby we're going to install them in all the present buildings. When I look at a bill and it doesn't include anything as to implementation, then I get concerned about whether there's an intent to have it implemented, or whether this is just an exercise to make sure that we all show we care but we're not prepared to do anything about it. I think that's a real concern, and I do want to speak just quickly to that.

I have some real concerns that relate to the implementation and government policy. The member will know that the present government has signed a memorandum of understanding with the Association of Municipalities of Ontario that any time the government passes a bill that is going to have an impact on the budgetary process in a municipality, they will have consultations with the municipality to deal with that issue. I'm not aware, in the presentation or information that I got, that this bill actually had any consultation with municipalities. I would suggest that if we are intent on getting this passed, that's a process that we need to go through to make sure the municipalities are aware of what is being asked for and that they can have some input into how it should be implemented. Should it be in all existing buildings, or should it be just put into the building code from now on so that when a public building is built, it must have these types of safety devices or warning devices put in place?

I guess my concern is that this isn't the first time this type of thing has happened, where we put these things forward and then after the fact we tell municipalities that this is what they have to do. But municipalities also don't have an endless pot of money, so then they start looking at other areas where they will have to cut back in order to accommodate what is being asked for. I'm sure we're not going to be there to help make that decision as to what it is they're not going to do in order to add this. I think this would go very high on the priority list of "Needs Doing," but there would be some other things that the municipalities will not be able to do. I think the member putting forward this bill would be quite aware of that. Having been mayor for quite a number of years, he would realize that every time a dictate from the province came along that said, "We have made a decision that this is a very important thing to do and a very appropriate thing to do,

and now you have to go about doing it," regardless of how important or how critical that issue is, municipalities do not see it as being appropriate for the province to make that decision in their absence. I think it would be very important that that was done.

Having said all that, if the intent of the member's bill is that the province is going to fund the implementation of this bill, then I don't have that same problem. If this is in the provincial budget, then I have no problem at all with suggesting that we carry on with it and that we all support it.

Again, I want to thank the member for bringing the bill forward. I don't think there's anyone in the House who would not support this bill. With that, I will turn the time over to my colleagues, who all have some very important things to say on the bill too.

Ms. Andrea Horwath (Hamilton East): I too am going to be supporting this bill, because I don't think anybody really could with any justification not support the bill.

I have to say that, like the member who's bringing the bill forward, the member from Pickering-Ajax-Uxbridge, I too have family members who experience hearing loss. I have a young niece who was just recently discovered to have a hearing impairment, and my brother, with his wife, is going through the process of making sure that she's able to receive the extra special care she needs to address that hearing loss and to address her future in terms of being able to receive information in the way that's best able for her to process it and communicate with all of the loving people she has around her.

I have to say that this bill is one where I think people probably would think, "Of course this is something we need to do," and I'm certainly one of those people. Having said that, it's interesting for me to note that I recently spent time some time in the city that I'm from, the city of Hamilton. Of course, our city is an older city and goes through upgrades of infrastructure on a regular basis. After many years of debate, our city is now in the process of renovating its city hall, as opposed to tearing it down and starting all over again. Although I'm not positive, I'm pretty sure that those renovations are not going to include the kind of device that this bill outlines, and it's unfortunate. I can't say that with surety, but I do suspect that's the case.

You know what? Our city has been very progressive in the way that it's tried to acknowledge and accommodate various community initiatives around people with different kinds of disabilities. For example, we have a way-finding system in our downtown and in other parts of our community for the visually impaired, for people who have sight and vision challenges, where we have different coloured and different textured insets in our sidewalks to assist with way-finding, as well as other textured features in the corners of our sidewalks where we have intersections, and various other kinds of assistive renovations that have taken place to help people who have visual impairments. So we have a tradition in our community.

I can remember when I was first elected to city council back in the late 1990s, there was a committee for people with physical disabilities; we called it "physdis," the physical disabilities committee. Interestingly enough, I think over the years that committee has shifted to be more of an access and equity committee in that physical disabilities were not the only disabilities. Again, interestingly enough, in the member's covering letter regarding this particular initiative, one of the things he indicated, and so rightly, is that people who have hearing disabilities, hearing loss, deafness or acquired hearing loss are not visual; I mean, not visual in terms of people seeing that there might be a disability with hearing. So it's interesting that oftentimes this becomes a disability that's not acknowledged or that is not built into public policy or built into the kinds of progressive thinking around accessibility types of accommodations.

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So it's really positive that this is here. But the unfortunate thing about it is that not only was there not the consultation with municipalities, which was already described, so I'm not going into that, but it becomes a big problem in Hamilton, for example, where they're now renovating city hall. If this hasn't been built in already, it's going to cost that much more money to then go back and retrofit a renovation that's happening right now.

Yes, we have to start somewhere, definitely. But if the provincial government wants to make sure communities are implementing these kinds of initiatives, a part of that has to be the sharing of some of the finances around that. I say that because we continue to struggle, in the city of Hamilton, with significant budget pressure that's a direct result of provincial government policy from a previous government and now of course being sustained by the current government. Unfortunately, the city of Hamilton is not alone in that regard. Although I agree completely with this bill and I will be supporting it, it's with the cautious note that municipalities are struggling under a huge municipal fiscal gap. That gap is to the tune of some \$3 billion, which is provincial programs being funded at the municipal level. For different municipalities, that gap has a different dollar value on it.

Yesterday we heard my seatmate from Beaches-East York asking questions of the Premier about Toronto's fiscal gap, but Hamilton has a significant fiscal gap as well. Our mayor, Larry Di Ianni, was here last week, trying to convince the Liberal government to address in a sustainable way the problem that municipalities have with the current financing scheme. The first year we did this, back in 2004, the provincial government forked over about \$19 million. It was \$15 million last year. But the problem is that the pressures are growing, not reducing. This year, the city is identifying that gap to be \$25 million, not \$19 million, as it was in 2004. So the pressure is growing, just with the existing funding situation or the existing burden on municipalities for delivery of provincial programs like Ontario Works, the Ontario disability support program, land ambulance and social housing. I can go on and on about all the services that

were downloaded. Nonetheless, that existing regime continues to this day and each year it seems to get worse.

But when you add on the requirement to initiate new programs, it makes it that much more difficult. It would be really unfortunate if we ended up in a situation where municipalities got their backs up and said, "No, we can't implement these kinds of programs," knowing darn well that they're absolutely the right thing to do and they absolutely must be initiated. The way to get over that is not only to deal with the existing problem the province has in terms of the number of municipalities that are feeling overburdened by their responsibility for funding provincial programs—so get rid of that problem, and I'm sure the municipalities would ask no questions whatsoever when these kinds of initiatives come down the pipe. Or, if you're not prepared to do that—and apparently the government is not prepared to do that, to the great frustration and anger of municipal taxpayers. In fact, community after community is beginning to have public meetings about how the heck to get this government's head around the fact that there's a huge problem, and that problem is resulting now in municipal taxes going through the roof—no pun, because it's all property taxes. Nonetheless, it's not a laughing matter and there's a significant concern there.

If that's not going to get solved, then at the very least, when these kinds of initiatives come forward that are so important and really require our full support, they must include dollars. They must include opportunities for municipalities to obtain some financial assistance from the province. Otherwise, these great initiatives end up being seen on the other side as just another form of provincial downloading, and what a tragedy that is. That's a terrible tragedy, and it's completely unacceptable, on one hand, from the perspective of those of us in this gallery and in this Legislature, but reality is reality. At the municipal level, anything the provincial government does is going to increase costs, and that means the money has to come from somewhere. What many municipalities are saying is that the money doesn't exist. They're in the negative. They're in the hole right now. So anything that adds to that pressure and adds to that burden is going to be received with a bit of a negative view, and that is extremely unfortunate.

I wanted to talk a little bit about what that looks like in the city of Hamilton. Recently, we had the Centre for Community Study put together a report that very specifically outlines the pressures the city of Hamilton faces in regard to its balance of payments, if you want to call it that. You know, it's interesting: We're the only province in the country, and I think we're the only jurisdiction in all of the G8 nations, where you actually have social programs and health programs being funded off the property tax base. Those programs are income distribution programs and they need to be funded at a level where the taxation comes from earnings, not from property. Again, coming from the municipal perspective, having spent some time there, I know the frustration is that people have a certain amount of money left in their

pockets after taxation, and that's the money they then pay their property taxes with. So to have income distribution programs at the property tax level is simply inappropriate; they don't belong there. In fact, people may recall that when this downloading exercise was undertaken by the previous government, a very prominent Conservative person in our community spoke out against that initiative. The provincial government of the time, the Harris government, decided they were going to download a number of initiatives because, from the provincial level, it was what they called revenue-neutral; there was no imbalance. The problem was, when you got down to individual communities, that there was a huge imbalance. Perhaps from their perspective on this side of the fence, everything was fine. But on the other side of the fence, depending on what municipality you were coming from, it wasn't fine and it hasn't been fine since.

So we have a situation where the realities of older communities like the city of Hamilton have ongoing infrastructure needs. We have water main breaks on a constant basis and road, bridge, sewer, water and environmental issues that need to be addressed. We have huge infrastructure needs. Our economy is in stress because we're moving from a largely manufacturing-based economy, and with the pressures in that sector we're not seeing those jobs, as they're lost in our community, being replaced by similarly well paid jobs. Unfortunately, late or mid last year we became equal to Toronto in terms of the percentage of people living below the poverty line. So now Hamilton equals Toronto in terms of the number of people living in poverty, and that's certainly not something we as a community are proud of. We are also a community that's proud to welcome very many refugees and immigrants. The problem is that the governments, both federal and provincial, have not seen fit to assist our city at adequate levels in making the transition of newcomers into our community and to be able to contribute to our community. That funding, that assistance, has not been there.

So you can see how the challenges faced by a community like the city of Hamilton, where one in five children is living in poverty, are not financially sustainable. That is why the city of Hamilton year after year comes to this provincial government and says, "You're causing a great deal of this pressure by virtue of the fact that these downloaded provincial services don't belong on the property tax base. We're never going to be able to get all of the pressures we have addressed until you take a look at this formula and fix it."

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There are a lot of other pieces, a number of different pieces to that puzzle around education taxes and payments in lieu, but the big one is the downloading. The big one is the fact that this government has refused, even though they promised to do it, to put together a sustainable plan for how we're going to get out of these troubles in the future. As a result, when great pieces of legislation like this one come forward, when the opportunity arises

for us all to work together and pull together and say, "Yes, we support this legislation. We want to see this system implemented in municipal as well as provincial buildings, at the local levels," we don't see the funding that goes with it, the dollars that go with it to assist municipalities in implementing it. Unfortunately, we're then in a situation where I fear that the reaction won't be as positive as it should be on the other end.

So I support this legislation completely, but I urge the mover, considering that he is the parliamentary assistant to the finance minister, to bring back issues not only around downloading and the difficulties municipalities now have, but also on how we, as a province, can make sure they implement this initiative.

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate and, hopefully, bring it back to the substance of the debate, which is An Act respecting visual fire alarms in public buildings, a wonderful initiative that has been put forward by the member from Pickering-Ajax-Uxbridge.

The member and I have a very similar background in that we come from the municipal sector. I served for 18 years as a member of regional council in the town of Oakville and in the region of Halton, and served during that period under all three parties in the provincial Legislature. I've had experience with them all, and I remember the days of downloading and the days of the social contract. What I loved about serving at that level, and what you search for, I think, as a new member when you come to the chamber here at Queen's Park, is that you like things to be logical, sensible and practical.

When you serve at the local level, you tend to look at things in that way and to deal with things in that way. When you come to Queen's Park, you get much more of a bureaucratic outlook, much more of a legislative outlook and approach to things. So you're always looking for those things that might have a practical and really immediate impact on people's lives.

It's got to be very satisfying for the member to be able to bring forward a private member's bill based on input from his own family, based on experience he's had as an individual in his everyday life, dealing with someone he loves, his son Joel, who, as I understand, came up with this idea in the first place and asked his dad if he would bring this forward as a private member's bill because it made a lot of sense.

It makes a lot of sense to me, and yet, still, we've had speakers who have stood up today and said, "How could you not support this? Who would ever speak against this initiative?" But here we are, in February 2006, in the province of Ontario, and we don't have visual fire alarms. If it hadn't been for the member from Pickering-Ajax-Uxbridge, we wouldn't even be talking about it. So you might want to steer the debate off into any other realm you may choose and take advantage of the time to maybe criticize the government, but I don't think you can criticize the member for bringing forward this initiative.

As I said, there are a lot of fire prevention initiatives that we have in Ontario. There's a private member's bill

before us that would call for the implementation of sprinkler systems in homes. We say that we legislate what sort of building materials you can use in construction. We talk about the storage of flammable materials on construction sites and job sites. We talk about the response times of our fire services. We talk about those things and pass rules and laws about those types of things because we know what tragedies can occur and sadly still do occur as a result of fires.

Experience has told us that public standards lead the way for the private sector. What you implement, what you set as the standard in public buildings, eventually becomes the standard in private buildings. This would be a perfect example of that. The bill, in my opinion, is a complementary private member's bill to the Accessibility for Ontarians with Disabilities Act, 2005, that was finally passed under the leadership of this government in the recent past.

We have to think about our own situation right here at Queen's Park as well, the Legislative Assembly. When we want to call our members to vote, we ring the bells. That's a sign to everybody that it's time to vote, that it's time to come and do your democratic duty and vote on behalf of your constituents. But we also flash the lights. This is in a building as old as Queen's Park. Somehow we've been able to implement that system that alerts people in an audible and in a visual way that it's time to take some action. We can do it at Queen's Park. I'm pretty sure we could do it at Oakville town hall. I'm pretty sure we could do it at the region of Halton building. I'm sure that, with technology being where it is today, it would not cost a lot of money.

Perhaps you think that, in a crowded situation, a hearing-impaired person might understand that something is happening—"maybe I should follow the crowd"—that a fire emergency may exist and that they might have to do something. But put yourself in the shoes of a hearing-impaired person who finds himself alone in a bathroom, or finds himself alone in a room in a public building, for whatever reason. You would have no clear indication that it was time to leave that building. You would have no clear indication that your life might be in danger.

I think a hearing-impaired person should understand and feel that they have as much right to be alerted that an emergency situation may exist in a building as a person who is able to hear. I think it's a fundamental right, a matter of equity, and I also think it's just simply the right thing to do.

How would a person who is able to hear know that somebody is hearing-impaired, know that they would need help in the first place? How would you identify a person in that situation, even if you were willing to help or thought perhaps you should help?

In emergency situations, we all know that seconds count. That's why we talk about response times for ambulances and fire trucks. It seems to me that if seconds count, with the technological abilities we have today in our society, it's not a big step, it's not a big leap, to think

we would be able to implement a system that would alert people in a visual way that it's perhaps time to evacuate the building.

Experience, as I said, has shown that public buildings would lead the way. This bill, in my opinion, certainly is a bill that is logical, as I said at the start; it's practical; it's sensible. The advantages that would be obtained by the passage of this bill are self-evident.

My understanding of private members' bills is that they cannot have a budgetary impact on the government. They cannot compel the government to spend money. In my estimation, this sets the groundwork for the implementation of something that would be advantageous, that would be supported at the municipal level as something that's got a very practical and immediate impact on people's lives, and is something that I believe my constituents in Oakville would support as much as the constituents who are being very well served by the member from Pickering-Ajax-Uxbridge in the implementation and introduction of this bill. I would ask that all members support this bill.

Mr. Frank Klees (Oak Ridges): I'm pleased to participate in this debate. I want to commend the member from Pickering-Ajax-Uxbridge for bringing this legislation forward. It is indeed practical. It is needed. I'm hopeful that the direction of the Legislature, when this bill is in fact passed, will be taken seriously by the government, that it will not die here, as many private members' bills do, but that it is carried forward and the appropriate changes are made in building codes to ensure that those in our communities who are deaf and hard of hearing have the protection of this important provision.

I want, however, to take this opportunity to add my encouragement to the member and to members of the Legislature to in fact go beyond the bill as it is written. I believe that not only is there a need, a very important health and safety need, to protect the lives of those in our community who are deaf and hard of hearing, but every member of our community.

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I believe it is unconscionable that even in today's building codes, we still have not incorporated technology that ensures that all of us are protected in the event of a fire. Far too often when a fire happens, and particularly in public buildings, when the room fills with smoke, the current exit signs are very quickly obscured by it. Many of the lives that are lost are not lost because there hasn't been an exit sign; it's because people can't see them.

I would strongly recommend that what we should be requiring of the building code is to prescribe a technology for all exit signs in every public building that incorporates an electroluminescent technology which can in fact be seen through smoke, through fog, through any kind of distraction that may be caused as a result of smoke and fire. It's a phosphor-based product and it should be a mandatory requirement incorporated into the specifications of our building code.

I also want to encourage this Legislature to go beyond simply having this as mandatory within the building code

for municipal and provincial buildings. There is no reason why this requirement should not be made mandatory for every public building where people gather, whether that is a restaurant, whether that is any other place that is of a public nature where people in our communities gather and where there is danger of fire.

I know personally that the technology is there. I also know that it is not costly beyond the current signage that's available. In fact, it uses far less electricity than the current exit signs because of the nature of the technology. So on the one hand, we can do the right thing, and on the other, we can save lives. These signs can be designed to contain chevrons that, at the time an alarm goes off, indicate the direction of the exit, so it serves many purposes. That is the kind of practical recommendation that I believe is appropriate for this Legislature, to give direction to ensure that these specifications are contained in our building code.

I want to again commend the member for bringing this forward. I want to thank those who are here who have participated in helping to design this bill, members from the deaf community and all of those who have shown an interest and have shown leadership in helping us create good legislation in the province of Ontario.

Mrs. Carol Mitchell (Huron-Bruce): I'm very pleased today to rise in support of Bill 59, the Visual Fire Alarm System Act, 2006. What is so important about this bill, in my mind, is the simplicity that it brings forward. It's a very practical application. I think that, so often, we can get caught up in the process. When I look to the member, he comes from a municipal background; I come from a municipal background. Often we can get caught up in where we need to go by who does what and who should pay for what. But when I think about it, so often what we really need is just, where do we want to go, how do we want to get there, and what's the practical application of how to get there? I'm sure that when traffic lights first came out for the "Don't walk" or "Walk" signs and a beeper came forward, there was great discussion about who should pay for what. But that's the beginning. It's in recognition that we need to put in place what the people of Ontario need in order to ensure public safety. This bill does that; it recognizes that. It's talking about including a strobe beacon or a similar feature to alert people who are deaf or hard of hearing. This is in recognition that we don't all have the same abilities.

When I think about, over the years, when we've made decisions, be it from a municipal world or a provincial world, a lot of decisions were made with absolutely the best intentions, but we just did not take into consideration what would have been a better application. This bill demonstrates to me a very practical application and how we can move forward.

In the past, we just did not understand what could affect our hearing and how it was cumulative for our hearing. I think about some of the farmers out on the tractors over the years, before there were cabs and they wore ear protection, and the equipment they worked with and the constant pounding. We know what that did. We

know, in our seniors, how many have been affected by hearing loss. This is about recognizing and meeting the needs of the people of Ontario.

Imagine yourself in a situation where people are starting to react because they know what's happening, but you don't know—the sense of bewilderment you would have about knowing where you needed to go or why people were moving forward. It's something that I hope none of us ever has to experience.

I would be remiss if I did not get a quote from Helen Keller here. This is from *Listen Up, Canada*: "When you lose sight, you lose contact with things, but when you lose your hearing, you lose contact with people." Isolation can be dangerous, especially in an emergency. Bill 59 recognizes that and hopes to eliminate the isolation. It's practical; it makes sense. I'm pleased to rise today and support it. I want to thank the member from Pickering–Ajax–Uxbridge for recognizing a practical application, addressing a situation, and bringing this bill forward. I look forward to further debate.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I too am pleased to rise today in support of the private member's bill presented by the member from Pickering–Ajax–Uxbridge, the Visual Fire Alarm System Act. I know that he has worked very hard with the Canadian Hearing Society, and I thank them for coming today and being present in the Legislature.

As MPPs, Thursday is for our private members' bills, and we have a chance to bring forward some legislation that helps all of the society. I think this bill is an example of that, and of the commitment from the member from Pickering–Ajax–Uxbridge.

The Canadian Hearing Society has members from a diversity of backgrounds, ages and levels of hearing. I think it's important to remember the MPP Gary Malkowski, who was the first deaf MPP in the Legislature and is here in the gallery today. Welcome. I believe he was responsible for bringing in the flashing lights as well as the alarm bells that go forward when we are called into the Legislature. I think he did a great job when he was an MPP of recognizing the problems that deaf people and hearing-impaired people have in today's society. I thank him for his work in that area.

I too have members of my family who are deaf and hearing impaired. They live in Belleville and had to go there to attend the Sir James Whitney Provincial School for the Deaf. When they were building their house, they had to get improvements made so that when the doorbell and the smoke alarm went off, they had the flashing lights as well. They have since got a dog to help them with their impaired hearing abilities. They have a young child now. She's about six years old and she starred on Sue Thomas: F.B.Eye as one of the nieces for the star of that show.

I certainly appreciate the efforts brought by the member here, and the challenges that are faced in society. In the survey done for the Canadian Hearing Society, they found that almost one in four adult Canadians report having some degree of hearing loss. As to the issue of

providing safety and services to a minority group, we're talking about one quarter of the population that requires extra assistance and extra insurance in receiving notice of an emergency. Smoke alarms, as we know, save untold lives every year. They alert people before a fire has spread widely. They certainly are the best preventive measure against fatalities from smoke inhalation and other potential injuries received in a fire.

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In order to alert more people, we need visual smoke alarms. It used to be that the only type of smoke alarm available was the high-pitched sound when smoke was detected. It's still the most common type of smoke detector, but for people with hearing loss the audible smoke detector's impact ranges from useless to barely passable, and for deaf people, of course, audible alarms are useless.

Other provisions like visual alarms must be made. There is a growing number of hard-of-hearing people as our older population increases in size. The member from Huron–Bruce mentioned tractors and the number of farmers without protected hearing over many years.

It is good legislation that has been proposed here this morning and we're going to be supporting the bill. Emergency plans typically are designed for people without disabilities, so the majority of us can escape with the usual hearing alarms that sound off. I commend the member for the consultations. I say, don't let the consultations end here. Hopefully today this will be passed and we can hear from firefighters and emergency workers who are involved, to enable this legislation to move forward as best as possible, how the buildings will be retrofitted, the ideas that are going to come from the communities.

I commend the member again for bringing this forward. He has our support. I am pleased again to welcome the people in the galleries from the Canadian Hearing Society and other groups that have come here today.

Mr. Bob Delaney (Mississauga West): It's my pleasure to support my colleague from Pickering–Ajax–Uxbridge and to echo some of the kind words spoken by my other colleagues, particularly my colleague and friend from Haliburton–Victoria–Brock, who spoke so eloquently on this bill.

Some six years ago when I first made my run for elected office, a run at which I wasn't successful, one of the people I met at the time with whom I am still friends—who may be watching this morning; I'm not sure—was a young man named Chris Portelli. His disability wasn't hearing loss; his was an injury stemming from a spinal cord injury. He first brought to my mind, up close and personal, some of the challenges faced by Ontario's disabled, which is one of the reasons I was such a strong advocate for the Accessibility for Ontarians with Disabilities Act, which was finally proclaimed into law last year.

What a fitting add-on it would be, after the Accessibility for Ontarians with Disabilities Act, to follow up with what the member from Pickering–Ajax–Uxbridge has

proposed, which is such a logical, simple add-on, a visual symbol that tells you when a building may have a fire alarm or some other alarm, in addition to the sound.

For those of us who are not hearing impaired, even today when an alarm goes off, we almost instinctively think it's a false alarm. If in addition to the auditory signal we also had a visual signal, it would tell even those of us who are not hearing impaired that this is something to be taken seriously, that this is for real. When an alarm goes off, and most especially if it's not a false alarm, if it's very much a real one, my colleague from Oak Ridges came up with an excellent suggestion, which would be lit chevrons pointing the way toward the nearest exit.

This doesn't cause an architect or an engineer or someone contracting for a building to materially alter their plans, but it does ask for a little bit of thought. Should something go wrong in the building, how do you plan for the most efficient and safest means to provide the people working or living in the structure an orderly, quick and safe exit from the building?

There's so much in this proposal that is good common sense. It's a pleasure to see that all three parties have stood to endorse it. I join them in supporting the bill. I sincerely hope that it gets the committee hearings it so deserves quickly and expeditiously, and that as a Legislature we can rise and vote on it very soon and see it proclaimed into law.

The Deputy Speaker: Further debate?

There being none, the Chair would like to recognize and draw to your attention the presence of the former member from York East, a member of the 35th Parliament, Gary Malkowski.

Mr. Arthurs, you have two minutes to reply.

Mr. Arthurs: Thank you for acknowledging Gary. I'd like to acknowledge members who have joined us during the debate, and those in the public gallery who have come today to support this particular initiative as well as being here for other reasons.

Two minutes, and less now, is not enough to be able to encapsulate some of the comments. I do want to thank the members from Oxford, Hamilton East, Oakville, Oak Ridges, Huron-Bruce, Haliburton-Victoria-Brock and Mississauga West who have all spoken to this bill this morning. They each set out some issues that would need resolution. I was pleased to hear one of the members make reference to private members' bills and the difficulty often in seeing those move through to legislation. This is not a government bill; this is a private member's bill. With support of the members of this Legislature and the community, I'm sure that this, along with other private members' bills, could be enacted as law.

Would there be a need to consult with our municipal partners? Clearly there would be, but the memorandum of understanding really speaks to government initiatives. In my view, until this is at least beyond—if it's adopted for second reading and off to committee, then that stage is the appropriate time to engage directly in that type of consultation.

I can tell you that in a brief conversation with my own mayor, over some things we were doing, I casually mentioned my bill, and he said that in our community we're very supportive of that. They have a diversity and equity committee, and that's exactly what we should be doing. Mr. Flynn, the member from Oakville, spoke in the same regard. I think it's something municipalities would embrace, the opportunity of setting the benchmark, of setting new standards, and then encouraging the private sector to be engaged. Government has an obligation and a role to set out those standards, to set the benchmarks, to take a lead role so that others can join in doing that.

I'm pleased to bring the bill forward. I think it's the type of practical politics members have spoken of. I was pleased with the member from Oak Ridges and his comments about other technologies; the bill provides for that. I look forward to its adoption and movement to committee.

The Deputy Speaker: Thank you to all members. The time provided for private members' business has now expired.

RURAL ONTARIO DAY ACT, 2006

LOI DE 2006

SUR LE JOUR DE L'ONTARIO RURAL

The Deputy Speaker (Mr. Bruce Crozier): We shall first deal with ballot item number 17, standing in the name of Mrs. Mitchell.

Mrs. Mitchell has moved second reading of Bill 49, An Act to celebrate and recognize rural Ontario.

Is it the pleasure of the House that the motion carry? Carried.

Mrs. Mitchell?

Mrs. Carol Mitchell (Huron-Bruce): I would ask that the bill be referred to the standing committee on finance and economic affairs.

The Deputy Speaker: Mrs. Mitchell has asked unanimous consent that the bill be referred to the standing committee on finance. Agreed? Agreed.

VISUAL FIRE ALARM SYSTEM ACT, 2006

LOI DE 2006 SUR LES SYSTÈMES D'ALARME-INCENDIE À AFFICHAGE VISUEL

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 18, standing in the name of Mr. Arthurs.

Mr. Arthurs has moved second reading of Bill 59, An Act respecting visual fire alarm systems in public buildings.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1200 to 1205.

The Deputy Speaker: All those members in favour, please rise.

Ayes

Arthurs, Wayne	Horwath, Andrea	O'Toole, John
Balkissoon, Bas	Hoy, Pat	Patten, Richard
Barrett, Toby	Hudak, Tim	Prue, Michael
Berardinetti, Lorenzo	Klees, Frank	Qaadri, Shafiq
Bradley, James J.	Kormos, Peter	Racco, Mario G.
Brotten, Laurel C.	Lalonde, Jean-Marc	Ruprecht, Tony
Brownell, Jim	Leal, Jeff	Sandals, Liz
Bryant, Michael	Levac, Dave	Scott, Laurie
Delaney, Bob	Marchese, Rosario	Smitherman, George
Di Cocco, Caroline	Martel, Shelley	Van Bommel, Maria
Dombrowsky, Leona	Mauro, Bill	Watson, Jim
Dunlop, Garfield	Milloy, John	Wilkinson, John
Flynn, Kevin Daniel	Mitchell, Carol	Wong, Tony C.
Hardeman, Ernie	Munro, Julia	Zimmer, David

The Deputy Speaker: All those opposed, please rise.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 42; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): Speaker, I request the bill be sent to the standing committee on the Legislative Assembly.

The Deputy Speaker: Agreed? Agreed.

All matters relating to public members' private business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

The House recessed from 1207 to 1330.

MEMBERS' STATEMENTS

HOCKEY

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): Good evening, hockey fans, and welcome to the Paul J. Yakabuski community centre here in beautiful Barry's Bay, Ontario—now known as Hockeyville—where the Ottawa Senators will face off against the Toronto Maple Leafs.

Sound unbelievable? Well, it might just happen if 10-year-old Michael Papania's application to the CBC/Kraft Foods search for Hockeyville is successful. While watching Hockey Night in Canada, Michael saw the ad telling people of the contest, open to communities all across Canada. Michael—whose dad, Mike, mother, Ann, and sister Chayanne all play hockey—filled out the application and, along with Barry's Bay and District Minor Hockey Association president Shaun O'Reilly, got the ball rolling.

This weekend, as part of the annual Timberfest celebrations, Barry's Bay will be visited by a television crew from the CBC to measure how much it deserves to be called Hockeyville. Communities are evaluated on their love of the game, community spirit and grassroots hockey stories. The CBC crew will be treated to a number of community events, many of them hockey-related. The annual Timberfest Stanley Cup will be played this

Saturday night. This game pits players with allegiances to the Montreal Canadiens against those who love their Leafs. I myself have had the honour of playing for the Leafs and hoisting the cup the past two seasons.

Added to the Timberfest roster this year will be a Friday "chicks with sticks" tournament and, later in the spring, a new Heritage Cup tournament, which I know will be enjoyed by all.

Let me take this opportunity to thank and congratulate young Michael Papania for his initiative, and let me encourage all those in Barry's Bay to get out there this weekend and show their enthusiasm and community spirit as they vie for the title of Hockeyville. I encourage all communities to make their best effort to become Hockeyville themselves.

BLACK HISTORY MONTH

Mr. Pat Hoy (Chatham–Kent Essex): On February 4, I attended Road to Freedom, a celebration of Black History Month presented by the Buxton National Historic Site and Museum. The museum, located in my riding of Chatham–Kent–Essex, is home to a rich collection of artifacts relating to the history of the Underground Railroad and to early African Canadian history.

Shannon and Bryan Prince are lifelong residents of North Buxton. Shannon is the curator of the museum. Bryan is a member of the museum board and a historian. He is the author of several works on this subject, including a new book, *I Came as a Stranger*. The book is a powerful history and a valuable guide to sites and communities that commemorate the courage and suffering of men, women and children who made the perilous trip from slavery in the United States to freedom in Canada. The fugitives—most of them penniless, many of them illiterate—carved out new, independent lives. They built homes, schools and churches. They became teachers, business owners and writers. Mr. Prince has generously donated a copy of his book to the legislative library. Artifacts from the museum can also be seen in the display cases downstairs on the main floor.

It is important to recognize the achievements and the contributions of original settlers. Black Canadians play an important part in Canada's unique cultural heritage. Our diversity has made Canada a model of co-operation and fellowship around the world.

I would like to thank the volunteers and the residents of North Buxton for their continued hard work and commitment to preserve and promote the history and accomplishments of the original settlers.

WASTE DISPOSAL

Ms. Laurie Scott (Haliburton–Victoria–Brock): I rise today to add my voice to those who are concerned that this government has no plan to respond in the event of a garbage crisis. The only plan we have seen so far is the Liberals' amazing plan to ignore the pending crisis

and to try and pass the buck to municipalities. But that is not a plan; it's an abdication of responsibility.

If the border were to close, it would have an impact not just on Toronto, Durham, Peel and York but also on communities all across Ontario. The emergency landfill capacity in Ontario is just under 29 weeks, and the government knows that. They know that because it's contained in the Gartner Lee report when they outlined an emergency plan for GTA garbage. The plan is simply to dump trash into dumps in nearby communities, but implementing this report's recommendations would require provincial action. People across Ontario need to know if this is the amazing Liberal plan to deal with the garbage crisis.

In December, John Tory called on the Premier to make public his government's plan for garbage in Ontario before the end of March. We haven't seen this plan yet. John Tory has also called on the Premier to convene a summit of municipal leaders, environmentalists, experts and other affected parties to help in the development of a plan. All we've seen is a government with its head in the sand hoping against hope that they will not have to do anything. If the amazing Liberal plan to deal with the trash crisis is to do nothing, it's time to get a new plan.

AGNES CAMPBELL MACPHAIL

Mr. Michael Prue (Beaches-East York): It's indeed an honour to stand today and talk about Agnes Campbell Macphail, the first woman elected to the House of Commons in Ottawa and, as well, the first woman to be elected to this Legislature. This was in 1921, before women were even declared to be persons.

After a 19-year career at the federal level, Agnes was elected, as I said, as a member of the provincial Parliament for York East, which encompassed all of what is today modern-day East York in the city of Toronto. She was the first woman seated in the Ontario Legislature, in 1943, where she was a leader in the fight for hospital insurance.

Agnes's work and passions are well known. They encompassed things like women's rights, fairness to seniors, penal reform, international peace and disarmament, access to housing and health care. Most recently, in latter life, they were about the development of youth and education.

It is in this regard I stand today to talk about the contest that we hold every year in East York for young people to come forward to contribute and to show their parliamentary skills and their ability to speak in public. The quality of these contestants, I will tell you, will very often match the level of debate that we hear in this House. The young people have done their research, they have organized their presentations and they've spoken in front of their family, friends, peers and judges. They talk on a broad range of topics. This year it will be held on February 21 at 7:30 in the True Davidson council chamber at the East York Civic Centre, 850 Coxwell

Avenue. Please, if you can possibly make it, come out and see some very good public speaking.

OMERS PENSION FUND

Mr. Tony C. Wong (Markham): Recently, quite a few retirees who are collecting pension benefits from OMERS have come to the constituency office of my riding of Markham worried about the security of their pensions. It is very unfortunate that some have chosen to try to scare pensioners into believing that any changes are being made to their pensions just to try to score some political points and make the government look bad. The truth, as has been stated many times in this House this week, is that there will be absolutely no changes made to existing pensions, and those collecting pensions have nothing to worry about.

Some pensioners in my riding have been led to believe that they will have to pay for the supplemental benefits that firefighters and police officers negotiate. This is completely untrue. Any supplementary benefits will be paid for on a 50-50 basis by the municipality and the employees who will benefit. As a matter of fact, Bill 206, if passed, will do something that will benefit pensioners. For the first time, a representative of pensioners will have a vote on both the administrators and sponsors boards of OMERS. For the first time, pensioners' voices will be heard at the table when any changes to the OMERS plan are being negotiated.

I'm happy to say that the McGuinty government has taken steps not only to protect current OMERS pensioners but to give them a voice that they've never had.

ONTARIO ECONOMY

Mr. Ted Chudleigh (Halton): Ontario's manufacturing sector is in trouble. Some 54,000 jobs were lost in 2005. January alone saw a further 32,500 jobs disappear. What will February bring? The Minister of Economic Development and Trade has the answer. Is it a comprehensive plan to build competitiveness within key industries in Ontario? No, that's not it. Is it a series of meetings with affected communities to find out what they need to be competitive? No, that's not it either. Is it a plan to make electricity rates for small businesses competitive to other jurisdictions? No, that's not it. Is it a plan to make Ontario business and industry tax-competitive with competitive jurisdictions? No, that's not it either. Well, what is the answer?

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The answer from the minister is, "It's not our problem; it's the exchange rate." In 1977, when the Canadian dollar was US\$1.07, Ontario had a competitive and productive manufacturing sector because the government of the day kept us competitive. In 2003, when you were elected over there, Ontario and Canada were the third most productive nation among OECD countries. Now we are 12th. That's under a federal Liberal regime and a

provincial Liberal regime. I say it's not the exchange rate; I say it's not Ottawa. I say it's you. Develop a plan like you promised you would on December 8, 2005, when you supported our resolution to do so. Roll up your sleeves, get to work and develop a plan to keep Ontario competitive and stop the bleeding in our manufacturing sector.

OMERS PENSION FUND

Mr. Mario G. Racco (Thornhill): I rise today to clear up some of the myths being propagated about Bill 206. This bill, if passed, will not affect any current pensioners. It doesn't discriminate against women and low-paid workers, as some would have you believe, and it does not force anyone to pay for supplemental benefits that they won't be receiving. But the most important myth I would like to clear up is the idea that the bill stacks the deck against improvements to the OMERS pension plan.

The truth of the matter is that the two-thirds majority required to make improvements to the plan applies to any effort to diminish the plan. This means that major changes to the plan, before they can go ahead, will have to have a significant number of employers and employees in favour. What's more, if 50% plus one are in favour of a change but a two-thirds majority cannot be reached, the proposed changes could go to a mediator. The same formula applies to going to arbitration after the mediator reports back.

This government has done everything in its power to make Bill 206 acceptable to all sides. The bill has been sent to committee after both first and second readings. A number of amendments have been accepted, including some suggested by stakeholders and the opposition. It is unfortunate that myths are being spread in an effort to derail a bill that has support on both sides of this House as well as from many stakeholders. I hope I have been able to dispel some of these myths today.

Mr. Kevin Daniel Flynn (Oakville): I rise in the House to acknowledge the work that the public safety officials do on a daily basis. Police officers and firefighters selflessly put their lives in danger to protect the public every day. Think about that for a minute. We're talking about the people that are running into buildings in flames as people are running out. We're talking about people who place their lives on the line on a daily basis, dealing with the worst elements of our society every time they answer a distress call.

Police officers and firefighters have, to put it mildly, unique job challenges. The McGuinty government, through Bill 206, is recognizing that selflessness. We're allowing police officers and firefighters to negotiate supplemental benefits to the OMERS pension plan that they belong to. What we're doing is ensuring that the very people who ensure our safety have a greater chance to retire in good health.

It's unfortunate and it's shameful that a campaign of misinformation has surrounded these changes. So I

would like to set the record straight: The supplemental benefits that are negotiated between municipalities and police officers and firefighters will be paid for on a 50-50 basis. It's inaccurate for AMO to suggest they will have to increase municipal taxes.

Devolving the OMERS plan has been discussed for more than 10 years by every government. Transferring control of the pension plan is the right thing to do. I'm proud to say that we've done this in a way that's fair to all members.

Mr. Dave Levac (Brant): Over the past few weeks, we have heard a great deal about our government's Bill 206 and the effect it might have on OMERS pensioners. There are others who are counting on us to pass the bill. In fact, in my riding of Brant, the Brantford Professional Fire Fighters Association sent me 100 letters in support of the bill. Quite frankly, some of their points should be put in this House.

"I commend you for this bill's introduction and recognizing the necessary amendments required during second reading of the bill. As a firefighter, it is very important to have the flexibility to enhance our pension to afford a respectable retirement at an earlier age."

One goes on to say, "My concern lies with recent media advertisements sponsored by other stakeholders and their attempt to kill this bill."

Finally, "To have your government turn down this opportunity and not move forward ... would leave my colleagues and I in a plan that cannot meet the needs of professional firefighters across the province."

Concerns of the costs have been raised. The total worst-case scenario predicted by AMO—even if it were correct, which it's not—would take 11 years to negotiate and fully implement at the local level.

Finally, our firefighters have double the rate of cancer of any other member in this plan and they live shorter lives. They have a right to ask us to take care of them and their families in this time of need for their pension negotiations—double the rate of cancer of anyone else in the plan, and they live shorter lives.

I support Bill 206. Everybody should support Bill 206.

INTRODUCTION OF BILLS

GOLDEN DREAMS HOME AND DECOR LTD. ACT, 2006

Mr. Qaadri moved first reading of the following bill:

Bill Pr19, An Act to revive Golden Dreams Home and Decor Ltd.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

TRILLIUM GIFT OF LIFE NETWORK
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR LE
RÉSEAU TRILLIUM POUR LE DON DE VIE

Mr. Kormos moved first reading of the following bill:

Bill 61, An Act to amend the Trillium Gift of Life Network Act / Projet de loi 61, Loi visant à modifier la Loi sur le Réseau Trillium pour le don de vie.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Peter Kormos (Niagara Centre): The purpose of the bill is to ensure that upon the death of a person, tissue from the person's body may be removed and made available for transplant into another person's body and that this may be done without the consent of the person from whom the tissue is removed.

Currently, the act requires that consent be obtained before tissue can be removed from a human body. Under the proposed amendments, consent is no longer required, but a person may object to the removal of tissue prior to his or her death or a substitute may object on his or her behalf after the death has occurred. If an objection is made, no tissue shall be removed from the body. Part II of the act sets out the manner and circumstances in which an objection may be made by or on behalf of a person.

To date, it was considered an exceptional act to donate an organ. I put to you that it's time in Ontario for it to be considered an exceptional act to deny an organ where it could save a life or extend a life.

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ELECTION STATUTE LAW
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES ÉLECTIONS

Mrs. Bountrogianni moved first reading of the following bill:

Bill 62, An Act to amend the Election Finances Act and the Legislative Assembly Act / Projet de loi 62, Loi modifiant la Loi sur le financement des élections et la Loi sur l'Assemblée législative.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal): This bill, if passed, will make it easier for new political parties to register in this province. Registration in Ontario entitles political parties to receive a number of benefits. These include having the ability to solicit contributions, issue tax receipts to contributors, request and receive a copy of the permanent register of electors and become eligible for campaign expense reimbursements.

Under the provisions of this bill, new parties could register by endorsing at least two candidates in a general election or in two or more concurrent by-elections. Outside a campaign period, parties could register by providing the Chief Election Officer with the signatures, names and addresses of at least 1,000 electors. By facilitating the registration of new political parties, we're encouraging better representation of the full diversity of perspectives across this province.

We're also taking steps to make sure that the integrity of the party registration and political finance regime is maintained. There are provisions that impose obligations on parties and enable the Chief Election Officer to deregister parties that aren't meeting those obligations.

I'm very proud to introduce this bill today and urge my colleagues to join me in supporting it.

NOWRUZ DAY ACT, 2006

LOI DE 2006 SUR LE JOUR NOWRUZ

Mr. Racco moved first reading of the following bill:

Bill 63, An Act to proclaim Nowruz Day / Projet de loi 63, Loi proclamant le Jour Nowruz.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Mario G. Racco (Thornhill): March 21 marks the first day of spring, and to Iranians all over the world it marks the first day of the new year. Nearly 100,000 Iranians have come to live in our beautiful province, and it is only appropriate that we honour them with recognition of Nowruz Day.

SENATORS SELECTION ACT, 2006

LOI DE 2006
SUR LE CHOIX DES SÉNATEURS

Mr. Runciman moved first reading of the following bill:

Bill 64, An Act to provide for the election in Ontario of nominees for appointment to the Senate of Canada / Projet de loi 64, Loi prévoyant l'élection en Ontario de candidats à des nominations au Sénat du Canada.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Robert W. Runciman (Leeds-Grenville): The purpose of the bill is to provide for the selection of nominees for appointment to the Senate by way of democratic election. Once nominees have been selected by election, the government of Ontario shall submit the names of the Senate nominees to the Queen's Privy Council for Canada as persons who may be summoned to the Senate of Canada for the purpose of filling vacancies relating to Ontario. This is an historic opportunity for Ontario to play a leading role in the democratic renewal of the Canadian Senate.

MOTIONS

COMMITTEE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Speaker, I believe we have unanimous consent to move a motion without notice regarding the standing committee on social policy.

The Speaker (Hon. Michael A. Brown): Mr. Bradley is asking for unanimous consent to move a motion without notice regarding the standing committee on social policy. Agreed? Agreed.

Hon. Mr. Bradley: Notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the following committee shall be authorized to meet as follows: The standing committee on social policy on Monday, February 20, 2006, between 9:30 a.m. and 1 p.m. for the purpose of considering Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

KYOTO PROTOCOL

LE PROTOCOLE DE KYOTO

Hon. Laurel C. Broten (Minister of the Environment): Today marks the first anniversary of the coming into force of the Kyoto Protocol on climate change. I would like to take this opportunity to recognize the good work being done across Ontario by families, communities, businesses and governments to address those twin demons of the 21st century: air pollution and global warming.

Our government has committed to protecting the health of Ontarians. By actively working toward a healthier environment and cleaner air today, we can help pass on a better world to our children and the generations of tomorrow. Recently, former US President Bill Clinton was widely quoted saying that climate change "has the power to fundamentally end the march of civilization as we know it." Those are potent words, but the sense of imminent danger they conjure up is all the more potent. With so much at stake, our efforts are critical.

Climate change is, in simple terms, a major threat to the sustainability of our quality of life. Its effects will be felt gradually and then rapidly in many different ways. If we do not act decisively, climate change and our trans-boundary pollution will erode our health, our environment and our economy.

Si nous n'agissons pas de manière décisive, les effets du changement climatique et de la pollution trans-frontalière continueront de dégrader notre santé, notre environnement et notre économie.

We have the scientific knowledge and the technology to address the threat. We have the responsibility as an environmentally conscientious society to campaign against it. As North American leaders in the pursuit of better air quality, we are determined to act. What we build, where we live, how we get our fuel and energy: These have changed many times in our history; they will change again, and it is our responsibility to see they change for the better.

By taking real action on climate change, you'll find that in 50 years our province could look like a very different place. Ontario could build North America's most advanced economy based on clean and renewable fuels, on zero emission transportation and on energy-efficient homes and businesses.

Our government has taken major steps to cut emissions of greenhouse gases and air pollutants. As you know, we are strongly committed to closing all coal-fired electricity plants by 2009. This will have both local and global benefits. It will reduce emissions of air toxins and smog-causing pollutants dramatically. At the same time, it is the single largest greenhouse gas reduction initiative underway in Canada. This one action will eliminate up to 30 million tonnes of carbon dioxide per year, which is equivalent to taking almost seven million cars off the road.

Cars on the road in Ontario will be cleaner. Our government has implemented a new regulation that requires gasoline in Ontario to contain 5% ethanol, on average, by 2007. We've improved the Drive Clean program, which now focuses on older vehicles at higher risk of polluting. Our government has also worked with industry to find workable ways to achieve lower emissions. We've set tough new standards for 40 harmful air pollutants and placed strict emissions caps on our largest industrial sectors. Every step we take to reduce pollutants in our airshed helps improve the air we breathe.

Our government has found innovative ways to meet our province's energy needs while reducing our environmental impact. We have made an important commitment to clean, green renewable energy, and we're on track not only to meet, but to exceed our target. New renewable generation will account for at least 5% or 1,350 megawatts of our capacity by 2007, and double that by 2010.

1400

In just two years, our government has advanced projects that will provide us with nearly 10,000 megawatts of clean, renewable power by 2010—enough power for 4.8 million homes. In the past two years, Ontario has secured more new generation capacity than any other jurisdiction in North America.

In 2003, this province had less than 15 megawatts of wind generation. In just two years, this government has set the wheels in motion to bring on-line over 1,300 megawatts of wind power, an 80-fold increase.

We're boosting clean hydroelectric capacity with a major expansion of the existing facilities at Niagara Falls. We are encouraging businesses to use co-generation and letting them sell surplus energy back to the grid. Further, we're building a culture of conservation that is instrumental to our climate change efforts. Ontario will become a leader in energy efficiency by curbing demand, changing entrenched habits and promoting the wise use of energy in homes, business and the community.

Our target is to reduce growth in peak demand by 5% by 2007. We're setting an example by cutting electricity use in government operations by 10% over the same period. By undertaking energy-efficient retrofits and upgrades to our buildings, the Ontario Realty Corp. has reduced electricity demand in buildings they manage by as much as 7.8%—well within the reach of our 10% target by 2007. We're also installing deep lake water cooling, which will further reduce our energy consumption during the summer period.

Our government has come a long way in our quest to improve Ontario's air quality and keep our province clean and healthy. We still have more to do. Addressing the twin issues of climate change and air pollution demands clear focus and a strong plan of action, and our government has both. We will continue to work as innovative and respected leaders in the area. We look forward to meeting our new federal counterparts to ensure a healthier Canada. Most importantly, we will continue to challenge our neighbours to the south to follow our lead and commit to major reductions in transboundary emissions of smog-causing pollutants and greenhouse gases.

Just before Christmas, Canada hosted one of the largest-ever gatherings of climate change and air emissions experts for an international conference. The Conference of Parties in Montreal was a chance to hear about the latest research, the best new technologies and the examples being set by governments and industries around the world. I had a chance to attend this conference along with my colleague Minister Cansfield. No matter who I was speaking to, there was total agreement on a number of points. Climate change is a real threat to our shared future health and prosperity. We have the knowledge and the tools to address it, and we can only succeed through shared effort.

Le changement climatique menace réellement notre santé et notre prospérité. Nous avons les connaissances et les moyens de combattre ce fléau, et nous ne pourrions être efficaces dans cette lutte qu'en agissant de concert.

Governments, industry, educators and scientists all came together on these statements. It is clear to me that there is continuing opportunity for Ontario to play a leading role in this challenge.

US President John F. Kennedy once said, "We have the power to make this the best generation of mankind in the history of the world—or to make it the last." We are committed to working with all governments and all jurisdictions to deliver cleaner air, a higher quality of life

and to make this the best generation in the history of our great province.

The Speaker (Hon. Michael A. Brown): Response?

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to rise today to mark the anniversary of the Kyoto agreement, which entered into force on February 16, 2005.

This government likes to make announcements about the work they are doing to improve the air quality here in Ontario, but what has the government really done to improve our air quality?

Let me see. The Liberal election platform talked about the importance of responding to the health needs of Ontarians by improving our air quality. Buying electricity from dirty US-based coal plants does nothing to improve the air quality of those in southwestern Ontario.

In recent months, we've seen the government back off on their time lines for coal plant closures. The 2007 date changed to 2009, and now they're shying away from that date.

In 2004 and 2005, they were required to buy more US energy from dirty coal plants. Those plants continue to operate without any effort to make them clean in Ontario. If you're backing away from the coal-burning plants, are you making any movement to put on the new technologies available to make those plants emit more cleanly than they are presently doing? Has this government done that? We've seen no evidence of it.

What about gridlock? It's probably the number one contributor to Kyoto. Have we seen anything? Has there been a transportation plan? What about the expansion of the 404 or the 407? Manufacturing jobs are going away, so maybe people aren't going to be out there driving to work. Is that the plan to deal with gridlock?

Energy conservation: You cut the Energy Star program. Is that an incentive for people to buy energy-efficient appliances? In my riding of Haliburton–Victoria–Brock, the Frost campus: an energy-efficient building. Maybe we could look at that as a model for municipal and provincial buildings.

Where has the movement been on ethanol plants? I don't see any movement by this government for conservation. So the question has to be asked of this government: Are you improving air quality in Ontario, or are you just talking the talk and not walking the walk?

Mr. Michael Prue (Beaches–East York): New Democrats support the provisions of Kyoto. New Democrats have always done so, and our federal party in Ottawa has played a leading part since Kyoto was first announced.

But I have to tell you that I find ironic some of the things the minister had to say in her statement here today, because this party and this government have no climate change plan. Alone among the provinces in Canada, this government has no climate change plan. They also have no greenhouse gas emission reduction target. This government has never put forward a target. Unlike other provinces, this government has never seen fit to do what I think most of our citizens would expect.

The David Suzuki Foundation thinks this province is not on the right track. I read from page 22 of their booklet, *All Over the Map: A Comparison of Provincial Climate Change Plans*. They make recommendations for Ontario, but they only make three. The first is to "Develop a climate change plan with ambitious GHG emission reduction targets," something you have failed to do. Number 2: "Rely entirely upon conservation, energy efficiency and renewables for new power, rather than natural gas and nuclear power," something that is diametrically opposed to what you are doing. Number 3: "Implement policies to encourage the purchase of fuel-efficient vehicles and discourage the purchase of gas guzzlers," something you have never talked about, never implemented and never worked on.

I have to tell you that I am very disappointed. I support Kyoto. I think I support everything the minister had to say, but I want to see some action. I want to see something other than the mere words that flow on what a good program Kyoto might be.

In regard to what is happening in the city of Toronto—the announcements and the questions and the response I got yesterday about the Toronto Transit Commission—the Toronto Transit Commission is receiving \$180 million less from this government this year than they received in 1994. What is that going to do? It's going to cause gridlock, it's going to cause more cars on the road, it's going to cause more pollution. The money is not there. Your words are nice, but the money is not there. And when the questions are asked, the answer that comes back is, "Toronto, drown in your own problems." If you are truly committed to Kyoto, if you are truly committed to a good environment, then you will put some money into things like transit in Toronto; you will at least put in the same amount of money they were receiving back in 1994, because for 12 years they have been going backwards.

In the last two minutes, I want to talk about the port lands. I think the people in my community, the people in the east end of the city of Toronto, are very, very upset with this government's actions, or should I say lack of action, on the port lands and on conservation. They came forward with a 10-point plan—

Hon. George Smitherman (Minister of Health and Long-Term Care): You want to have the Americans run it, eh, Mike?

Mr. Prue: If the minister wants to listen, he could.

The Speaker (Hon. Michael A. Brown): Stop the clock. The Minister of Health will come to order.

Member for Beaches–East York.

1410

Mr. Prue: The people in my community came forward with what was a very realistic 10-point plan. They are supported by the local council, they are supported by the mayor, they are supported by the waterfront regeneration and Mr. Fung, they are supported by Toronto Hydro and they are literally supported by all of the neighbourhoods and committees and people who live in proximity.

Their 10-point plan has been rejected out of hand. They are talking about the necessity for some gas-fired generation inside the old Hearn plant. They are not NIMBYs. They know that we might need some more electricity, but they question why their ideas about the energy-efficient use of buildings have been rejected, why the raising of efficiency standards that they talked about has been rejected, why you have rejected household energy retrofits, the Toronto Hydro loan program that was in existence before. They wonder why you have rejected the cool cities program, why you have rejected renewable energy, why you have rejected cogeneration and tri-generation on the site. They wonder why they cannot burn the gas from the sludge to help further dry the sludge. They wonder why the Toronto Hydro conversion standby diesel generators will not be operating.

They have so many questions, and we have absolutely no plan and no answer from this government.

VISITORS

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): On a point of order, Mr. Speaker: I draw members' attention to the members' west gallery, where we have visiting with us today from the city of Cornwall His Worship Mayor Phil Poirier; CAO Paul Fitzpatrick; the finance officer, David Dick; and from the United Counties of Stormont-Dundas-Glengarry, Warden Jim McDonell. I welcome them.

The Speaker (Hon. Michael A. Brown): That of course was not a point of order, but welcome, gentlemen.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr. John Tory (Leader of the Opposition): My question is to the Premier. On December 8, 2005, we had a very constructive discussion, I think, in this House about the impact of the job layoffs and the job losses that have taken place, particularly in the manufacturing sector, across the province of Ontario. We had a vote on that day, which was joined in by all three parties, including members of the Liberal Party, to call on the government to bring forward a comprehensive action plan for working families and communities. Northern Ontario and other parts of the province have been devastated by additional layoffs since then. When are we going to see the comprehensive plan that all parties voted for on December 8, to be brought forward on an immediate basis from that day?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to take the question. I want to welcome the mayor of Cornwall and his contingent here to Queen's Park. I had the opportunity to speak with the mayor shortly after they faced yet another economic challenge, and we will continue to

work with the mayor of Cornwall to strengthen that community.

I can say that we always feel for those families and those communities that have been affected by some of the challenges that we're facing on the economic front these days, but as you know, it is not all bad news. Since we first earned the privilege of serving Ontarians as their government, the economy—that is hard-working Ontarians—has created 215,800 new jobs. The unemployment rate is at its lowest point in some five or six years. In the supplementaries, I look forward to discussing in further detail some of the specific initiatives our government has taken to help strengthen the economy.

Mr. Tory: We had the discussion on December 8, I say to the Premier, on the specific topic of what was then 50,000 families that had been affected by the loss of jobs across the province, particularly in the manufacturing sector, in the last 12 months. That number has now risen to 80,000. Above 80,000 families have been affected by the loss of a job in the manufacturing sector alone in this province in the past 12 months. In northern Ontario, for example, we learned just yesterday that Neenah's Paper in Terrace Bay will be closing, with 400 jobs gone; Weyerhaeuser in Dryden, 80 jobs gone; Tembec in Timmins, 20 jobs gone; Bowater in Thunder Bay, 280 jobs gone; Cascades in Thunder Bay, 380 jobs gone.

As the Premier will know, a good many of those layoffs have taken place since the time we had the debate on December 8 in this House.

The list goes on and on. Even your own member from Thunder Bay—Superior North says it is clearer than ever that areas where the province has a significant role played a major role in these layoffs. So I ask you again, when are we going to see the action plan your party and your members voted for on December 8 to help these 80,000 families who have lost jobs across this province in the last year, on your watch?

Hon. Mr. McGuinty: I'm sure the leader of the official opposition would also want me to bring to the attention of the people of Ontario that in January alone, this past month, this economy generated 15,600 net new jobs, just so we have the full picture. Maybe the leader of the official opposition can make this commitment, but I can't—I can't guarantee that we can keep all the existing jobs we have at present in Ontario. I can't. But what I can tell you is that we work as hard as we can, working with the private sector and our communities, to generate more new jobs than we are losing old jobs.

Let me tell you about some of the funds we have in place. First, there's our half-billion-dollar auto sector fund.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): You were against that.

Hon. Mr. McGuinty: This was originally opposed by that party.

As a result of that investment, and that initiative, we have attracted \$5.7 billion worth of new investment. The new Toyota plant we are getting—I know the leader of

the official opposition would have been warmed by this recent news—the first of its kind in Canada in some 10 or 15 years, has recently announced that instead of hiring 1,300 people, they're hiring 2,000—

The Speaker (Hon. Michael A. Brown): Thank you. Final supplementary.

Mr. Tory: Indeed, when those announcements take place, we're all warmed by that, but the question wasn't about that. The fact of the matter is that while there are announcements taking place with respect to people who are creating jobs, there are also well-paid manufacturing jobs that are being lost in northern Ontario, as I mentioned. Western Ontario is not immune from this: Ford in Windsor and St. Thomas, 2,300 jobs gone; B.F. Goodrich in Kitchener-Waterloo, 1,100 jobs gone effective July 22; La-Z-Boy in Waterloo, 413 jobs gone. I have never asked you, and the resolution did not call on the government, to guarantee all jobs would continue to exist forever. What it said was that there was the need, as expressed by all members of this House and all parties—or all the members who voted from all parties—to have a plan to help the now 80,000 families, just in the manufacturing sector, who have lost jobs on your watch in the last 12 months. All I want to know is, when are you coming forward with that plan to help those families and those communities in northern and western and eastern Ontario? When is it going to happen?

Hon. Mr. McGuinty: The Minister of Training, Colleges and Universities.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): It is important to recognize what we are doing and what we're building on. First of all, there is, as the member should know, the adjustment advisory program. Whenever there is an unfortunate event such as a layoff or a closure, what immediately happens is that the ministry contacts the company, contacts the union and contacts the community to provide the type of support, the type of referral and training referral support necessary.

Second, we are now building on what the previous government either refused to do or could not do, the labour market development agreement and the labour market partnership agreement. They put us eight years behind the eight ball by not negotiating an agreement. We're going to build on that.

Third, they didn't invest in our post-secondary sector. We have made several announcements with respect to pre-apprenticeship positions, co-op diploma apprenticeship positions.

All of these create opportunities for workers to retrain, retool and integrate fully into the modern economy. That's what we're doing. We're going to be doing more and we'll—

The Speaker: Thank you. New question.

Mr. Tory: My question again is to the Premier, and it's on the same subject. We've had a history lesson now, we've had various and sundry other measures, but no reference whatsoever to the comprehensive action plan

called for by all parties in this House on December 8, just a couple of months ago.

We were talking about western Ontario: VSA LLC in Kitchener-Waterloo, 150 jobs gone; Saint-Gobain Advanced Ceramics in Hamilton, 40 jobs gone; John Deere in Woodstock—

Interjection: Gloom and doom.

Mr. Tory: You know what? It's not about gloom and doom; it's families who are losing their jobs, including the area you represent. You should be ashamed of yourself for not doing anything to help them out—GDX in St. Catharines, 200 jobs gone; Industrialex Manufacturing in Windsor, 50 jobs; Imperial Tobacco in Guelph we've talked about before, 640 jobs.

I am asking a very simple question today. I would have thought it would be simple to answer because we all voted for a resolution saying we needed a comprehensive action plan to help these communities and families. When is the plan coming?

1420

Hon. Mr. McGuinty: We have articulated, in part, so far during this question period some of that plan. It's just that the leader of the official opposition doesn't like the plan. I think it's important to distinguish between there being no plan and a plan that the leader of the official opposition doesn't like.

Since coming to office, as I mentioned, we've generated 216,000 net new jobs. The De Beers Canada Victor project, Ontario's first diamond mine, will create 600 jobs during construction and 375 during operation. That's a \$1-billion investment. As I mentioned a moment ago, the Toyota plant to be built in Woodstock will create not just the original 1,300 jobs, but now 2,000 jobs, plus about 5,000 spinoff jobs. Our energy supply initiatives will create 5,109 construction jobs and at least 377 direct, full-time jobs. GlaxoSmithKline recently announced 75 new jobs in Mississauga. In Kitchener-Waterloo, that community alone, last month: 1,600 new jobs.

Mr. Tory: It's very interesting that on that long list we had the 5,000 jobs in the energy sector in construction. There's not a shovel in the ground for anything, so there's not a single construction job being created anywhere. The fact of the matter is, I say to the Premier—

Interjections.

The Speaker: I need to be able to hear the member asking the question. The Leader of the Opposition.

Mr. Tory: The fact of the matter is that in the month of January, last month, we lost 1,000 manufacturing jobs every day of the month; more than 30,000 manufacturing jobs lost in the month. Look at eastern Ontario, particularly the Cornwall area, which has been hurting for some time now: Satisfied Brake Products in Cornwall, 50 jobs; Mahle Engineering plant in Gananoque, 90 jobs; Domtar, 1,290 jobs gone; Hathaway in Prescott, 50 jobs.

In Cornwall, I met the mayor and city councillors and others, and their greatest fear was lots of talk and no action. I sent you a letter outlining the 18 things they told me that the McGuinty Liberal government could do to help them. Could you give me a report on how many

things have been done to help them since that time? What has been done for Cornwall?

Hon. Mr. McGuinty: I had the opportunity to chat with the mayor and, beyond that, to meet with the mayor personally. As I understand, the Minister of Finance will be meeting with the mayor again this afternoon.

To date, let me tell you about some of the things that we have done working on behalf of and with the community of Cornwall. In partnership with Service Canada and Domtar, an action centre has been established on-site to help Domtar employees with their loss of employment. We have agreed to a request for a fund for a project manager to coordinate extra demand that will be required for social services. We have agreed to a request to help develop an updated economic development and marketing strategy that will assist in attracting key new investments. We have agreed to a request to hire a replacement worker at the local enterprise centre to assist and support new entrepreneurs and small business owners.

There is more that we have agreed to, and we will continue to work hand in hand with the community of Cornwall to ensure that it continues to prosper.

Mr. Tory: I'm delighted you had a meeting, I had a meeting and the Minister of Finance is having a meeting later today. That is actually their worst fear: that there will be a whole lot of meetings and nothing will actually get done.

The list of measures you just went through, which talked about hiring a project manager and putting one replacement worker in a place, will make a small contribution, but there were 18 specific things. I assume if they've identified those 18 things to me, they did to you as well, they have to the Minister of Finance and to the Minister of Economic Development. I wonder why it is, a couple months after this started with Cornwall in particular, that nothing is done.

Furthermore, you mentioned that list of little things. What this House voted for was a comprehensive action plan, to be brought forward immediately, to help the 80,000 families who have lost jobs and paycheques. When are we going to see the comprehensive plan? When are we going to see action on the list that Cornwall has given to you and to me and to your government? When are we going to see some real action?

Hon. Mr. McGuinty: I want to begin by acknowledging the nothing less than heroic efforts made by Jim Brownell, inside caucus and outside caucus, when it comes to supporting the future of his community of Cornwall. He is absolutely relentless in his efforts and is one of the primary reasons that we have reacted so quickly, and we will continue to respond and support the community of Cornwall.

Let me just say that I see the world a little bit differently from the leader of the official opposition. I see all kinds of hope and prosperity in Ontario's future. He says we're losing 1,000 jobs a day. In fact, we're creating 1,500 jobs every day as well. He says the cup is half empty; I say it's three quarters full.

We have a wonderful foundation on which to build. We are working together with our manufacturing sector with our new advanced manufacturing plan. The Minister of Natural Resources has put together a wonderful plan to support the forestry sector. The Minister of Energy has helped recently in terms of putting a cap on hydro rates. We're doing everything we can to invest in people, develop our human capital: more apprenticeship programs; more college and university spaces; learning until 18.

We have every reason to believe, as do the people of Ontario, that there's every reason to be hopeful about the future in our province.

OMERS PENSION FUND

Mr. Howard Hampton (Kenora-Rainy River): My question is for the Premier. You promised workers in the OMERS pension plan a fair, reasonable dispute resolution mechanism modelled after the teachers' pension plan. You promised arbitration if there is a 50-50 deadlock on an evenly balanced employer-employee pension board. That was your promise. But your legislation that you have before this House now doesn't provide for that. It doesn't provide a 50-50 go to arbitration if there's a deadlock. What it says is that you have to have 51%. That effectively means that employers have a veto.

Premier, you're facing the prospect of a province-wide work stoppage because you've broken your promise. I'm going to ask you again, will you keep your promise of a 50-50 arbitration pension dispute mechanism? Will you keep that promise and avoid a province-wide work stoppage?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Let's take a moment and talk about this prospective province-wide work stoppage. Our government has introduced a bill in order to honour a specific campaign commitment. That bill has been introduced in this House. It has been the subject of 11 days of committee hearings. It's had two days of hearings on second reading. It will be brought back to the House for disposition by way of third reading and a final vote.

We have always respected the process and our opposition throughout. Mr. Ryan is now saying that because he is unhappy with the result of a lawful process, he will protest that in a way that is illegal. I think that is wrong. I think my responsibility is to follow the process, to respect that process and to respect those who might be opposed to this legislation that we have, and we will continue to do that.

Mr. Hampton: We have the latest iteration from Premier McGuinty: You can make any promise you want and then simply wipe it out by process. Well, it doesn't work that way; not when you're messing around with people's pensions; not when you're talking about their retirement security.

You made a promise. You promised a 50-50—

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): You have to tell the truth, Howard.

The Speaker (Hon. Michael A. Brown): Stop the clock. Minister of Community and Social Services, I'd like you to withdraw that comment.

Hon. Ms. Pupatello: I withdraw.

Mr. Hampton: You promised a 50-50 pension dispute resolution mechanism. We know that your government thinks that's okay for teachers; that's good. It's okay for firefighters; that's good. It's okay for police officers; that's good.

Here we're talking about some of the lower-paid municipal and education workers in the province. You promised them the same dispute resolution mechanism. They're angry now. They're angry because you've broken your promise. I ask you again, Premier, will you simply keep your promise and avoid a potential province-wide work stoppage?

1430

Hon. Mr. McGuinty: Again, I think what Ontarians are concerned about is, Mr. Ryan has decided that because he is unhappy with the result of a lawful process, he will now protest in a way that is illegal. What's more than that, he's not threatening me; he's threatening Ontario families.

Interjection.

Hon. Mr. McGuinty: Mr. Bisson may find it comical, but Mr. Ryan is saying that because he's unhappy with the result of this lawful process, he is threatening to keep children outside of their schools; he is threatening to withdraw snow removal services from our roads; he is threatening to remove important municipal services from Ontario families who count on them.

This threatened protest has eclipsed, I tell Mr. Ryan, who is sitting there, any discussion of any substantive nature about this bill. What the people of Ontario really want to know is, why does someone think it is right for them to object to the outcome of a lawful process by objecting and protesting in an unlawful way? That's what Ontarians want to know.

Mr. Hampton: Premier, I think Ontarians also want to know something else: when you're going to stop breaking your promises; when you're going to stop telling workers that you're going to give them the benefit of a fair pension resolution system, and then you yank that out of the way. They want to know why it's reasonable, according to the process, for teachers to have that pension dispute resolution process, why it's reasonable for police and why it's reasonable for firefighters, but when it comes to hundreds of thousands of women who work in our schools as caretakers and who have very low incomes, when it comes to people who work in municipalities and provide important public services, you're not prepared to honour your promise. Somehow, they aren't worthy.

It's your promise, Premier. This is what you told them, and you told them in writing. Now they're disappointed, they're hurt and they're angry. Are you going to keep your promise? Is Dalton McGuinty going to keep the promise he made in writing to those workers?

Hon. Mr. McGuinty: I want to take this opportunity to speak directly to CUPE members throughout the province who are considering what they should do in these circumstances and what would serve both their interests and the greater public interest.

First of all, I want to say thank you to those several locals which have now indicated—in Ottawa, in Peel and in Peterborough, to begin—that they will not engage in an illegal strike. I also want to remind all CUPE members of our track record when it comes to labour relations. We have a four-year deal with Ontario teachers that has never happened before. We have a four-year deal with our own union, OPSEU, that has never happened before. We have a four-and-a-half-year deal with Ontario doctors that has never happened before. We will work as long and as hard as we can to continue to establish good labour relations. There is no more pro-public-service government in Canada, Mr. Ryan, than there is here, and I would ask CUPE to understand that.

Interjections.

The Speaker: Order. Order. New question, the leader of the third party.

Mr. Hampton: Premier, once again, it's about your promise. This is the original Bill 206 legislation which was introduced into the Legislature on June 1 of last year. Here's what's remarkable: If you go to section 43, what you find is that in fact what you promised in the election is in this bill. You promised the same kind of dispute resolution system for pensions that exists in the teachers' pension plan. That's what was in the original bill. These workers who are here, and CUPE workers, were happy with this. Then you read your most recent amendments and, lo and behold, what happens in the most recent amendments? The 50-50 resolution was yanked. A promise that you made in writing and then put into the original legislation—you yanked it. That's why people are upset and angry. Will you pass the original sections that you put in the bill before you yanked them out in the middle of the night? Will you keep your promise that way, Premier?

Hon. Mr. McGuinty: Some people are concerned that the option for new benefits that we create for our police and firefighters will come at the expense of other plan members. Nothing could be further from the truth. There is a specific provision found in the bill that protects the interests of plan members.

But let me say this, and I say this in the presence of those firefighters who are here today: We think it's important, worthy and right that we recognize that these men and women assume special responsibilities, that they assume great risk and danger every day as part of their job. When we rush out of burning buildings, they rush in to help us get out. We've created a provision in this bill that recognizes the work they do on our behalf.

Mr. Hampton: We don't object to the pension clauses that firefighters may gain, we don't object to the pension clauses for—

Interjections.

The Speaker: Order. It's really a quite simple process: One member asks a question, everyone else is quiet; one member answers a question, everyone else is quiet. Leader of the third party.

Mr. Hampton: Speaker, it might help if you pointed out it's the government that wants to interrupt the question.

Here is the reality: You made a promise in writing to those very low-paid workers. You actually put the promise in the original bill, and they actually thought that there might be some pension improvement for them too, or at least some potential. But then, in the clause-by-clause process, you yanked that. You took that out. You've broken your promise. So I say to you, Premier, is there any doubt about why they might be angry? Is there any doubt about why they might be frustrated? Is there any doubt about why they might feel that they've been taken advantage of, been treated unfairly? All they're asking you to do is what you promised in writing before the election and to do what you put in the original clause of the bill before you yanked it out in the middle of the night. Will you honour the promise you put in writing?

Hon. Mr. McGuinty: Again, I want to remind the leader of the NDP about how much time and effort and goodwill have been invested throughout the process so that we might improve the quality of the bill itself. Two days were devoted to debate in this House so far; 30 hours, or 11 days, were devoted to debate in committee; we received 141 separate submissions; we heard from 54 presenters. There were dozens of amendments that were introduced; many of those were adopted, including three very good amendments we received from the NDP.

Again, the leader of the NDP is telling me that he is not happy with the result. I accept that he is not happy with the result. My concern is that there are those in Ontario today who are saying that their response to an unhappy lawful result would be to do something unlawful, and I ask them not to do that.

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Mr. Hampton: I say to you, Premier, that all the process, all the back and forth, is not going to make up for a situation where people feel that they have been taken advantage of and deceived. What they heard before the election, what they saw in a written promise, what they saw when the bill was first introduced, has now been reduced to something which is not an acceptable pension dispute resolution mechanism; it is a roadblock. Lower-paid workers who work in our schools, who work in municipalities, who are part of the OMERS pension plan, know that it will be almost impossible for them to increase the benefits because of the roadblock that you've put in their place. All they are asking you to do, Premier, is to keep the promise that you made, to keep the promise that you originally put in the first version of the legislation. Why, Premier, is it so difficult for you to keep a promise?

Hon. Mr. McGuinty: I can say that a great deal of work, once again, has gone into this bill. We look forward to moving ahead with this bill and to having it

become the law in Ontario. Again, I say to all those involved who will become part of this new process by virtue of this bill that we have gone to extraordinary lengths to ensure that we meet a couple, maybe three, important and overriding objectives.

We should not be having control over this pension plan. It's something to do with our municipalities and their workers, so we'll divest that responsibility to them. We're going to recognize that our firefighters and police in particular have especially challenging jobs, and we recognize that in very specific and meaningful ways in the bill. Finally, we have done that in a way that does not compromise the benefits or the ability to obtain changes to benefits on the part of other plan members. We're putting forward something that we think is fair, balanced and responsible.

MINISTERIAL CONDUCT

Mr. Jim Wilson (Simcoe-Grey): My question is for the Premier. Your Minister of Transportation, Mr. Takhar, has clearly broken the members' integrity laws, yet we saw a great display of solidarity and sympathy for Mr. Takhar from you and your caucus yesterday in this House. You seemed to have no problem—

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. When members have the floor, it is they and only they who can speak. We do not need noise that prohibits me from hearing what a member has to say. I need to be able to hear the questions. It is not helpful to have other displays during that period.

The member for Simcoe-Grey.

Mr. Wilson: Thank you, Mr. Speaker.

Premier, you seem to have no problem being sympathetic towards Minister Takhar, who has been found guilty. Yet, when you were in opposition, you repeatedly called for the resignations of myself, Bob Runciman, Cam Jackson, Chris Stockwell, Tony Clement and Dianne Cunningham. You did this even before any of us had had a fair hearing. Even when we—

Interjections.

The Speaker: Stop the clock. I know it's Thursday, but the same rules apply on Thursday as they do Monday, Tuesday and Wednesday. I need to be able to hear. If members do not want to listen to the rules, they can't stay here.

Mr. Wilson: You condemned us and asked for our resignations even before we had a fair hearing, and even after we were fully exonerated the calls for resignation continued. I ask you, what happened to the Dalton McGuinty who used to stand on this side of the House and talk about principles, integrity and public trust? He used to stand here and say that all the time. Your website, your personal biography today, continues to say that you stand for those principles of public trust and integrity. What happened to that Dalton McGuinty?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): What the Conservative

Party feels is that when it comes to these matters, the facts are not important. I feel that they are important.

You will recall that there were three separate allegations made by the leader of the official opposition. One was that Minister Takhar had somehow enriched himself. The Integrity Commissioner said that was not true. Mr. Tory then said that it was a case where Minister Takhar had been involved in the management of his business. The Integrity Commissioner said that was not true. Mr. Tory then said, and this was found to be true, that the trustee which had been originally approved by the Integrity Commissioner was no longer operating at arm's length. Therein lies the breach. The Integrity Commissioner went on beyond that and said, as I know the Conservatives will recall, "... I have to recognize that the minister did not go about intentionally trying to short-circuit the system."

I think the facts are important. I am comfortable saying, on the basis of those facts, that this minister's apology is sufficient.

Mr. Wilson: Premier, you still have not explained your double standard in this matter. You said in this House on Monday, "We're not talking about expensive steak dinners," yet your \$70-per-steak finance minister, Mr. Duncan, is still in cabinet. You said on Monday, "We're not talking about a case of hiding expenses," yet Mr. Duncan hid expenses through the bureaucracy and Mr. Cordiano hid expenses through his riding association, and they're still in cabinet.

So I just want to get this straight: If it's PC cabinet ministers, they have to resign without even a fair hearing; just a public lynching from you and your colleagues. But if it's one of your Liberal cabinet ministers, they get to do whatever the heck they want and still stay in cabinet. Is that the standard you're upholding, Mr. Premier?

Hon. Mr. McGuinty: Ultimately, we'll all be held to account, as we should be, by the people of Ontario at election time. I look forward to talking about our record. I look forward, should the matter be raised, to explaining exactly why I felt that, given these circumstances and this set of facts, the appropriate response for me, as Premier, was to accept the minister's full and unequivocal apology. I don't think Ontarians who may have had the opportunity to listen to Minister Takhar yesterday would come to any other conclusion than that this man is sincere in his desire to represent his constituents and to fulfill his responsibilities as minister to the very best of his ability, and the sincerity of his apology. Again, this is something I look forward to speaking to Ontarians about, day in and day out, should they call upon me to do so.

ELECTRICITY SUPPLY

Mr. Michael Prue (Beaches-East York): My question is to the Premier. My question is about the port lands fiasco, as it's been best known in Toronto: your plan, the McGuinty plan, for a mega power plant on Toronto's waterfront. It's a question about energy, yes, but it's also a question about democracy and fairness. You told local

citizens, you told Toronto Hydro they had until Monday to submit a positive alternative to your flawed plan, but on Friday, three days before that deadline, you and your minister short-circuited the process and you announced a mega plant for Toronto's waterfront.

My question to you is simple: How do you justify this unjustifiable action?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The Minister of Energy.

Hon. Donna H. Cansfield (Minister of Energy): I'm very pleased to respond to the member from Beaches-East York. The interesting part of the proposal that was put forward for the port land site, where Hearn was involved, was that the proponent for that particular site did not have an EA and wanted an environmental assessment actually excluded from the process. They also wanted to transfer half of that asset to an American company, Florida Power & Light. That asset belongs to the people of Ontario.

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There is also a 20-year contract on the Hearn site, with two five-year extensions, where the proponent is a private developer. That proponent would have to be bought out. That particular contract has a provision in it, a covenant that says, "No generation on the Hearn site." So there is a great deal to this issue when looking at the fact that we'd have to put up \$120 million worth of temporary generation, which would then be torn down, and then we would have to exempt an EA process—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Prue: Minister, you and the Premier promised a new relationship with Toronto, based, and I quote him, "on respect and mutual understanding." The actions you have undertaken don't match the words. Instead, I would say the Premier is showing contempt for the mayor, the council and the people of this city by ignoring the people, by ignoring the positive alternatives and, in the end, by rigging the process.

Show the mayor and the people of Toronto some respect. Reopen the bids for the port lands project and give positive alternatives like energy efficiency and conservation a fair hearing. Will you do that?

Hon. Mrs. Cansfield: As a matter of fact, the generation that will go on the port lands site is cogeneration. The first phase will be for 300 megawatts; the second phase, 550. In my discussion with the mayor, that is exactly what he wanted. We are putting in 300 megawatts of demand response and conservation, which is also what the mayor wanted, in my conversation with him.

I met with the deputy mayor, I met with the councillor, I met with OPA, I met with Constellation, I met with OPG. I have met with everyone and made a decision in the best interests of how to use money prudently and responsibly for the people of Ontario and keep the lights on.

The Independent Electricity System Operator has been very clear: rolling blackouts for the city of Toronto in 2008. It is our responsibility to spend money wisely, keep

the lights on for the people and provide cogeneration for heat and/or steam in the future, which we have done. We will continue to work in the best interests of all the people of Ontario, using their assets wisely.

VISITORS

The Speaker (Hon. Michael A. Brown): Would you stop the clock for a moment?

We have with us in the Speaker's gallery a delegation from the Russian Federation representing the Accounts Chamber of the Russian Federation, the Leningrad and Tyumen regions and the Republic of Tatarstan; the state council of the Republic of Tatarstan; and the Tyumen region Duma. Please join me in warmly welcoming our guests.

OMERS PENSION FUND

Mr. John Wilkinson (Perth-Middlesex): My question is for the Minister of Municipal Affairs and Housing. The Ontario municipal employees retirement system, OMERS, is a \$39-billion pension plan that serves more than 360,000 current and former employees of municipal governments, school boards, libraries, children's aid societies and other local agencies throughout Ontario. OMERS also covers our most brave of public servants; namely, police officers, firefighters and paramedics, many of whom are here today.

The plan provides guaranteed retirement income for life, including inflation protection and survivor and disability benefits. But as the OMERS website states, "Bill 206 and OMERS are in the news. Unfortunately, the coverage has caused some confusion, misunderstanding and concern among our members, retirees and employers regarding the viability of OMERS operations and the security of OMERS pension fund."

Minister, let's clear up the confusion; let's resolve the misunderstandings. OMERS plan members need to know whether they should be worried about their pension. Does Bill 206 put their pension in jeopardy?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the member for the question. As the OMERS website clearly indicates—and let's just talk about who OMERS is and who the OMERS board is. It's made up of 50% employers and 50% employees, including members from CUPE. What does it say? It says categorically, "There is nothing in Bill 206 that puts the pensions of our members at risk. In fact, this model gives members a voice in making the final decisions on their plan." As a matter of fact, for the first time ever, we've actually put a voting retired pensioner on both the administration and the sponsorship boards so that they will have a say as well as to how their pension is being used.

Further, if there is negotiated at the local level a supplementary plan, there can be no subsidization from the supplemental plan to the main plan or vice versa. No

pension is at risk. The OMERS members and the pensioners are fully protected under this bill.

Mr. Wilkinson: As I've learned, the OMERS pension plan was established in 1962. It has a long history and a varied membership. It has about 900 participating employers.

Changes to the 44-year-old OMERS pension plan have been talked about for more than a decade. This government is working to give control of the OMERS pension plan to those Ontario workers and employees who pay into it and benefit from it. There's a myth out there that this devolution will cause higher property taxes this year. The myth assumes that all municipalities will have to pay for many expensive benefits all at once. Minister, I need you to put my constituents at ease. Put this myth to rest and clarify how Bill 206 will affect this year's property tax bills.

Hon. Mr. Gerretsen: The supplemental plans that we are merely allowing to be negotiated at the local level for our emergency workers—the fire, police and paramedics—can simply not be done in such a way that it will affect the main plan in any way whatsoever. As a matter of fact, it will take 11 years before the plan can be fully utilized by anyone. There is only one new supplemental benefit that can be negotiated, if the parties want it to happen, at the local level every three years. So the figures that AMO is throwing out there are grossly exaggerated and cannot happen for at least a decade.

GREENBELT FOUNDATION

Mr. Tim Hudak (Erie–Lincoln): A question for the Minister of Municipal Affairs and Housing. Minister, it's been eight months since you dedicated some \$25 million to the Greenbelt Foundation. Aside from big grants to Liberal-friendly advertising firms, can the minister inform the House how many grants have been delivered to greenbelt farmers, greenbelt municipalities, tourism groups or other worthy parties?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to refer this to the Minister of Tourism, who has carriage of the Greenbelt Foundation.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): As my friend the member for Erie–Lincoln would know, the Greenbelt Foundation, similar to the Oak Ridges Moraine Foundation established by the previous Conservative government, has exactly the same mandate and was established exactly the same way. In other words, we did not invent anything new; we simply took your model and applied your model to the Greenbelt Foundation. It's exactly the same model. It was such a great model, we followed it and implemented it.

As to the dispensing of funds under that particular foundation, that is strictly arm's length. It has nothing to do with me. I don't direct them; nobody else directs them. They are a board established to do as they deem appropriate. I hope that you will encourage any and all

individuals who think that the funds can be used in a particular way to do so. I trust you will be doing that.

Mr. Hudak: I say back to the minister, the only thing your foundation is a model of is flowing taxpayer dollars to Liberal-friendly advertising firms—in fact, millions of dollars. To date, eight months on, not a single penny has flowed to greenbelt municipalities. Not a single penny has flowed to greenbelt tourism operators. You heard from the Ontario Fruit and Vegetable Growers that not a single penny has gone to worthy agriculture products. To make things worse, Minister, you can't even get a grant application from the Greenbelt Foundation yet unless you're a Liberal-friendly advertising firm.

I know the minister cares. I know he supports the issue. I'll ask the minister to say this: Right after question period, you're going to call over to that Greenbelt Foundation, tell them to get out of their plush offices in Yorkville and get to work helping out our greenbelt farmers.

Hon. Mr. Bradley: I won't do this. I'm very tempted when I hear about plush places, plush houses and plush offices to think of where some people reside and where some people represent, and I'm not going to deal with that at all. I can't do that. Honestly, I couldn't do that.

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But I want to say to the member that I encourage my friends from Halton, Erie–Lincoln and so on to make representations directly. Were I to give any instruction to the Greenbelt Foundation, I know I would have, justifiably, a question in the House the next day saying, "Why are you interfering with the Greenbelt Foundation?"

I hope they're watching this today, that they will hear what you have said and that appropriate action can be taken as they deem necessary to provide funding in a way that they think would be good for the greenbelt and good for the people of Ontario. I really look forward to that, but I will not fall into the trap of directing them when I don't have that responsibility.

FOREST INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Premier, forest industry companies have told your government repeatedly that your policy of driving hydro rates through the roof and your policy of forcing up delivered wood costs have killed thousands of forest sector jobs across northern Ontario. But your Minister of Natural Resources says that workers are to blame for forest industry layoffs.

In Terrace Bay, woodland employees represented by the Steelworkers have offered \$15 million in concessions to help the Neenah Paper mill continue to operate. The workers have offered pay cuts, pension cuts, benefit cuts and increased contracting out to save the company \$15 million.

Premier, why is the McGuinty government blaming forest sector workers for forest industry layoffs when it's clearly your government's hydro policy and forest policies that are killing jobs?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): From what I've just heard from the leader of the third party, that's very good news. I've been saying to the communities and to the workers that everyone has to roll up their sleeves and get to work on this problem. This is a horrendous challenge for northern communities, northern Ontario, our economy and especially the forest sector.

Certainly we here, with \$680 million and continuing to work on this, have really rolled up our sleeves and contributed to this. The forest companies are looking at every way they can to increase their efficiency to make sure they can continue to produce sustainable jobs. In many cases, workers have also come to the fight and they've made contributions. To hear what the member has said here today is very encouraging, and I encourage all workers to say, "Let's all get together and work on this together and make sure we have a sustainable industry."

Mr. Hampton: The minister says this is good news. When this was offered, the company said that it's not enough. It's not enough to overcome the sky-high electricity rates of the McGuinty government. It's not enough to cover the increasing costs of delivered wood fibre caused by the McGuinty government. Here's the tally so far.

Forest sector jobs destroyed under the McGuinty government: Thunder Bay, 860; Terrace Bay, 130; Kenora, 420; Red Rock, 175; Rutherglen, 63; Hearst, 106; Timmins, 19; Dryden, 510; Opatatika, 78; Cornwall, 910; Ottawa, 200. When you add them all up, it's 3,700 direct jobs and thousands of indirect jobs.

The company actually agrees with the workers. They're saying, "Thank you for offering to take a 15% pay, benefit and pension cut. But you know what? The problem lies with the McGuinty government. You pay eight cents a kilowatt hour for electricity in Ontario if you're a paper mill. You pay 3.5 cents in Quebec, 3.5 cents in BC or three cents in Manitoba. That's the problem."

When is the McGuinty government going to do something about its problem—

The Speaker (Hon. Michael A. Brown): The question has been asked. Minister.

Hon. Mr. Ramsay: Of course, the member knows that this is a Canadian problem, this is a worldwide problem, and forestry companies right across this country and around the world have been shutting down facilities. It's not just an Ontario situation.

I'd like to remind the member that Premier McGuinty said the other day that we're going to do more. He's asked me to work with the companies and see what else we can do to help the companies, so we're doing that. We're working every day with the companies and trying to work on that delivered wood cost, trying to reduce that cost, because that's going to help them to make the

decision going forward, to make the investments that are going to help with the energy piece. We got the electricity price cap announced last week. So we're doing a lot here—I know the member knows that—and there's more to come.

PETERBOROUGH REGIONAL HEALTH CENTRE

Mr. Jeff Leal (Peterborough): I have a question today for the Minister of Health and Long-Term Care. First of all, I want to thank the Premier and the minister for bringing a new hospital to my community of Peterborough. But my question today is because many of my constituents in the riding of Peterborough were watching television yesterday and heard the Leader of the Opposition making the most absurd comments I've ever heard about our Peterborough hospital.

Minister, Mr. Tory speculated that, under the powers of your ministry, you might close our hospital through the LHINs, withdraw services and even stop the construction project. I've heard in my time, in 20 years of public life, a lot of speculation, but these comments by Mr. Tory are sparking fear in my community.

We're all so pleased that, after the delays under the Tories, who couldn't deliver the hospital, this government is moving forward with our new hospital. Minister, can you tell us about the work our government is doing for the new hospital in the riding of Peterborough?

Hon. George Smitherman (Minister of Health and Long-Term Care): I want to thank my honourable friend for the question. I heard last night that Mr. Tory debuted in his new role on CHEX Television. It's a new show: It's called Reverse Fear Factor. In this one, the audience gets squeamish.

The circumstances are clear: Mr. Tory went on television last night to tell the people of Peterborough, who waited a long, long time for our government to finally move forward after they had talked for a long, long time to build them a much-needed hospital—that hospital is under construction. A website, prhc.on.ca, has a live camera that shows the construction ongoing. Our government has committed new funding to that hospital every year that we have been here, and we have already committed new funding for the next two fiscal years.

I send this message today: The people in Peterborough have waited for a long time for a government that was willing to work with them to improve the quality of their health care, not just in hospitals, but also with a networked family health team. They have no fear except the fear of a return of the Tories, because it's clear from Mr. Tory's \$2.4-billion proposed cut—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary.

Mr. Leal: I'll be a little quieter this time. My supplementary is to the minister, but even the Tories in Peterborough think that this Tory is a regular Jackie Gleason.

Minister, I think it's clear that our government's record speaks for itself, and I want to thank you for

sending this strong and clear message to my constituents in Peterborough. I also want to thank you for working with me to deliver Peterborough's new network of family health teams, one of the three networks in the province. As you know, my family health teams have hired new nurse practitioners and are providing care to my constituents.

I would like to bring us back to Mr. Tory's comments of yesterday, because it sounds like the kind of fear Mr. Tory is raising is the spectre of having health care in Ontario managed the way the Tory government did for eight years. Can you provide some information on our government's plans for hospitals throughout our communities in Ontario?

Hon. Mr. Smitherman: I don't know who Jackie Gleason is, honestly, but I think it's very clear—

Interjections.

Hon. Mr. Smitherman: What do you mean, I resemble him?

I think what is clear is that Mr. Tory has some explaining to do, because he is on record all across the breadth of the province—

Interjection.

The Speaker: I need to be able to see the Minister of Health. Minister of Health.

Hon. Mr. Smitherman: We have to get a more complete explanation from Mr. Tory, because he has on record a commitment to cut health care spending in our province by \$2.4 billion and he has not yet indicated where that is. But we see a glimpse into the Tories of old when he talks about the closure of hospitals, because sitting in his midst are two health ministers that, through their time, wreaked a lot of havoc on hospitals in the province of Ontario.

Our commitments are clear: We believe that every hospital that is operating in Ontario today fulfills a valiant and crucial mission, and it shall continue. To the people of Peterborough, I offer the reassurance that I did in my first answer, as well: We're proud to be their partner in building a new hospital. We support it and we will support it operationally, and that's why we've already committed to new additional operational funding for the Peterborough hospital this year, next year and in the future, with more to follow.

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TRANSPORTATION

Mr. Frank Klees (Oak Ridges): My question is to the Premier. The events and circumstances surrounding Minister Takhar's breach of the Members' Integrity Act tell us as much about your judgment and standards of integrity as they do about the minister's.

Premier, you were present in the House yesterday when the minister spoke to the report of the Integrity Commissioner. Earlier, you mentioned that the facts are important. Can you tell us, has the minister or anyone else disclosed to you how many of the achievements for which the minister took credit yesterday in the course of

his speech were in fact initiated by him and how many were actual projects and legislation developed—

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. We know better than this. Order. Government House leader.

The member for Oak Ridges.

Mr. Klees: I simply would like the Premier to respond as to how many of those projects and how much of that legislation for which the minister took credit he has disclosed to you were in fact developed by the previous government and he had nothing to do with.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): This is a unique form of question. Let me say this, and I say this with sincerity: Every generation of government has the privilege to build on a foundation established by a previous government. There were in fact some good things—I hope Hansard is not taking this down—done by the previous government and we continue to build on some of those, and I'll leave it at that.

Mr. Klees: I want to thank the Premier for his response, because de facto what the Premier has admitted is that the list of accomplishments that were articulated by the Minister of Transportation yesterday were in fact all policies of the previous government. The question remains: How in good conscience, Premier, can you contribute to the blatant embellishment of the minister's resumé?

Hon. Mr. McGuinty: Let me just reiterate some of the things the Minister of Transportation has done, and keep in mind that he has done all of this in the face of close to a \$6-billion deficit that we inherited. He launched more secure drivers' licences; he launched Ontario's first high-occupancy vehicle carpool lane; he launched new safety initiatives for school buses; he launched a new program for booster seats in cars; he launched the new Viva transit system in York region; he launched the new GTA fare card; he launched a rental truck safety inspection blitz; and he's putting in place a new northern Ontario highway strategy. This is the good work of our good Minister of Transportation.

ABORIGINAL HEALTH CARE

Mr. Gilles Bisson (Timmins-James Bay): My question is to the Minister of Health. You would know that Anishinabek Nation Grand Chief John Beaucage sent you a letter today, and it said that they're contemplating a constitutional challenge to your government's Bill 36, the LHINs legislation. They feel that the consultation process of this bill ignored aboriginal treaty rights with respect to your duty to consult. You will know that the Supreme Court of Canada has consistently upheld First Nations' rights to be consulted and accommodated on issues involving aboriginal rights. This was upheld in the Sparrow decision of 1990 and subsequent decisions in 1997, 2004 and 2005.

My question to you is this: What are you going to do to negate the necessity of First Nations taking your government to court in order to assert their rights to be consulted and accommodated in regard to this bill?

Hon. George Smitherman (Minister of Health and Long-Term Care): I'll speak to the issue on content. Obviously, people will avail themselves of legal advice and take actions accordingly. On the issue of accommodation, it's clear from the amendments that we made in the legislation that we've created a network capacity for a government-to-government relationship between First Nations and our government around the stewardship and strategy for health care. At the same time, we're going to work with First Nations and support them financially to create more planning capacity for them to work at the local level with the LHINs on integrated health services plans. We've also added an accommodation—I believe it was an amendment by one of the other parties—that would see specific reporting on the status of First Nations health.

On the issue of consultations there were direct meetings with me on February 10, May 10, and October 4, 2005, and January 10 and February 7, 2006. The next meeting is on March 16. We funded the First Nations task force on LHINs. We funded the Metis Nation of Ontario to develop a rapport on the impact on LHINs. We worked very closely, sought to be consultative in the most appropriate fashion, and are very excited at the opportunities that the bill presents for us to work on a government-to-government basis with First Nations.

Mr. Bisson: Chief Beaucage, Chief Toulouse and others were very clear with you in meetings. There are a number of issues. One of them is that they need to make sure there's a non-derogation clause so that at the end of the day their rights are not eroded under this bill.

The other issue is that the LHINs themselves give First Nations very little voice: one appointee to the LHIN 13 board, one appointee to the board that covers the northwestern part of the province, in order to deal with all health issues. They're going to be lost within a large structure and not have their voices heard when it comes to developing the system of health that is needed in those communities and making sure their needs are met.

I say to you again, they have written to you today, February 16. They've said they're taking you to court unless you change your direction. Are you prepared to do so: yes or no?

Hon. Mr. Smitherman: The honourable member said he assumed that I had read the letter. I assumed that he had as well. The last paragraph that deals with the issue of a potential court challenge does not say that they've made such a decision. It says that this is something they're contemplating, and it is of course within their grounds to do so. I can't offer further comments.

But on the content, it's clear that we have undertaken a tremendously consultative process. But way more important than that, on the very direct question that you asked me, "What is the opportunity for them to be engaged?"—you say that they'll be lost in it. To the

contrary: We have created what is unprecedented for any other group in Ontario, and that is the opportunity, through the development of a network at the ministry level, where the government of Ontario, represented by the minister and the Ministry of Health, will work alongside First Nations communities—not just on reserve, not just off reserve, Metis Nation included—to create the capacity for strategic planning to address what we all recognize are tremendously problematic challenges that have gone on for too long.

At the same time, we are going to compel local health integration networks to engage with First Nations communities on the development of integrated health services plans, and we're going to fund First Nations communities to be able to be involved in the development of those integrated health services plans through a contribution of—

The Speaker (Hon. Michael A. Brown): This completes the time allocated to oral questions.

Petitions?

PETITIONS

BROCKVILLE GENERAL HOSPITAL

Mr. Robert W. Runciman (Leeds–Grenville): I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The outpatients clinic of the Brockville General Hospital is important" for citizens, and they urge you to keep it open.

I share that sentiment and I have affixed my signature in support.

MACULAR DEGENERATION

Mr. Bob Delaney (Mississauga West): I'm pleased to join with my seatmate, the member for Niagara Falls, in this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet) there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

It's my privilege to sign this petition in support and to ask page Mark to carry it for me.

1520

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Jim Wilson (Simcoe-Grey): "To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I've signed this petition and I want to thank Jim Lott, the executive director of Community Living Meaford, for sending it to me.

ONTARIO SPCA

Mr. Lou Rinaldi (Northumberland): I have a petition here to the Legislative Assembly of Ontario:

"Whereas the Ontario SPCA, Lennox and Addington branch, has been forced due to budget constraints to close its doors; and

"Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals where people can no longer care for their pets; adoption of animals; family violence assistance program, allowing women entering a shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

"Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to take cats or other small animals; and

"Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already over-worked; and

"Whereas the Northumberland and Quinte humane societies are already facing financial challenges and will not be able to accept the additional animals;

"Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implement the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operation of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario."

I give this to Hannah to deliver to the desk.

JUSTICE SYSTEM

Mr. Ernie Hardeman (Oxford): I have a petition:

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario;

"Whereas the ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system even though the Attorney General's ministry is continually monitoring;

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and [to] make the public aware of his findings immediately."

I affix my signature.

DIABETES TREATMENT

Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale): I join my colleague the honourable member from Peterborough in presenting this petition to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are suggesting that all diabetic supplies as prescribed by an endocrinologist or medical doctor be covered under the Ontario health insurance plan.

"Diabetes costs Canadian taxpayers \$13 billion a year and increasing! It is the leading cause of death and hospitalization in Canada. Many people with diabetes cannot afford the ongoing expense of managing the disease. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These cost-saving measures often have ... disastrous health consequences. Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes.

"We think it is in all Ontario's and the government's best interest to support diabetics with the supplies that each individual needs to obtain optimum glucose control. Good blood glucose control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think of how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control."

Mr. Speaker, I also put my signature on this petition.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John O'Toole (Durham): I'm pleased to present a petition on behalf of my constituents of Durham, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to present this petition to Amelia and sign it in their support.

LONG-TERM CARE

Mr. Tony Ruprecht (Davenport): I have a petition which has to do with a special home for the aged, and I'm pleased to present it. It's addressed to the Legislature of Ontario, and it reads as follows:

"Whereas Portuguese Canadians number 171,545 in the Toronto census metropolitan area, many of whom encounter serious barriers (language, culture and location) to accessing community and long-term-care services; and

"There are no long-term-care homes dedicated to the needs of Portuguese Canadian seniors; and

"Camões House for the Aged and Portuguese Community Centre of Toronto is proposing a partnership with a local long-term-care provider to purchase up to 160 existing beds in the Toronto area (for a nominal fee), to develop a Portuguese Canadian long-term-care home in Toronto. This partnership is tentative and is dependent on the approval of the Ministry of Health and Long-Term Care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We encourage the Minister of Health and Long-Term Care, his staff, and members of the Legislature to support the Camões proposal, and to make the appropriate administrative and policy changes required to develop a Portuguese Canadian long-term-care home in Toronto."

Since I agree, I'm delighted to sign this petition.

GAMMA FOUNDRIES

Mr. Frank Klees (Oak Ridges): I have numerous petitions here addressed to the Parliament of Ontario from residents of the town of Richmond Hill. They read as follows:

"Whereas all residents in the town of Richmond Hill have the right to enjoy their homes, property, neighbourhood and to breathe clean air; and

"Whereas Gamma Foundries, a division of Victaulic Co. of Canada Ltd., is clearly the identifiable and documented source of noxious fumes and odours in the Newkirk Road area of Richmond Hill; and

"Whereas Gamma Foundries has persistently failed to respond to the legitimate concerns of the community regarding these odours and emissions; and

"Whereas Gamma Foundries has refused to initiate engineering solutions to these issues as identified in a report by Earth Tech and as ordered by the Ministry of the Environment; and

"Whereas the Ministry of the Environment has specifically directed Gamma Foundries to initiate engineered controls to address the adverse effects of these pollutants;

"We, the undersigned, petition the Parliament of Ontario and the Minister of the Environment to take all measures possible to enforce the provincial officer's order issued on November 3, 2005, and to ensure that residents are afforded the right to enjoy their property and neighbourhood as is their right under law."

I'm pleased to affix my signature to this petition, and I appeal to the Minister of the Environment to adhere as well.

1530

CANCER TREATMENT

Mr. Tony Ruprecht (Davenport): This petition that I'm presenting to you now has to do with cancer treatment in Ontario. It reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospitals; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We," therefore as undersigned residents of Ontario, "petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer

treatments that enables oncologists to apply for exceptions to meet the needs of patients.”

I present this petition to you, Mr. Speaker. Thank you very much.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John O'Toole (Durham): I'm pleased to present the second group of petitions on the same issue.

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I'm pleased to present this to Michael, the page, and as well, sign it in support of my constituents.

CURRICULUM

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition from students from my riding of Parry Sound–Muskoka and it's to do with grade 12 mathematics curriculum changes. It says:

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of Education plans to remove the study of derivatives from the grade 12 mathematics curriculum; and

“Whereas the grade 12 university preparation course Advanced Functions and Introductory Calculus is designed for students intending to study university programs that will involve calculus; and

“Whereas the course currently provides an introduction to the fundamental concepts of calculus, which are also required in grade 12 physics; and

“Whereas it contains three strands: advanced functions, in which students explore the properties and applications of polynomial, exponential and logarithmic functions; underlying concepts of calculus, in which students develop an understanding of the basic concepts of calculus by analyzing the rates of change involved in applications; and derivatives and applications, in which students develop, consolidate and apply to graphing and problem-solving the rules and properties of differentiation; and

“Whereas all of these strands are requirements for most university programs, and to remove any of them from the high school curriculum will leave the students of Ontario at a disadvantage when compared to the students from other provinces;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To ensure that the Ministry of Education continues to retain all parts of the current grade 12 mathematics curriculum and stop making changes that put the future careers of Ontario students at risk.”

That comes from a number of students from the Muskoka area.

ORDERS OF THE DAY

REPORT, INTEGRITY COMMISSIONER

Resuming the debate adjourned on February 15, 2006, on the motion that the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein.

The Acting Speaker (Mr. Joseph N. Tascona): It's time for debate. The Chair recognizes the member from Halton.

Mr. Ted Chudleigh (Halton): From when we stopped last night, I see I have four minutes and 50 seconds or so left. I'd like the House to know that in Olympic hockey Canada is leading Germany 4-1 in, I believe, the second period. I'm sure everyone will be delighted with that news.

When I left off, I had made the point that we were talking about when a cabinet minister should step aside and I had outlined a way, which I'll recap very briefly. Mr. Runciman found himself in a situation where his parliamentary assistant had read off some names of young offenders, which was inappropriate. At his first opportunity—that happened in the evening and Mr. Runciman was not in the House—the next afternoon, when the House convened, Mr. Runciman immediately stepped aside, pending an investigation. That investigation took some time, found him to be not in error, and he resumed his duties.

The same thing took place when Mr. Wilson, then Minister of Health, had an executive assistant who made an inappropriate comment. Immediately, at his first opportunity in the House the next day, he stepped aside. An investigation ensued and he was found to be without error. I think that is an appropriate way for the ministers to handle a situation when they are being investigated, and that is how it happened in places other than this House in Ontario.

Just today, Ernie Fage, the Minister of Economic Development in Nova Scotia, stepped aside. He wasn't accused by anyone. He wasn't being harassed. He simply found, on reviewing some loans that had been made, that

one loan had been made to a company that his family had an interest in. When he reviewed that information, he said, "That's not right. That's not correct. That's not the way it should happen." He has immediately, today, stepped aside. He stepped aside of his own volition. I think that shows a tremendous amount of integrity, and we contrast that with what's happening in the House around us today.

I would ask whether or not the Premier—and I went through this last night—fully understands what the facts are here, and I think that he does. In his quotes from February 14 in Hansard, he talks about what the Integrity Commissioner was examining, what he was looking at, how he was doing that investigation and what he found. Indeed, the Integrity Commissioner did find that the Minister of Transportation had been in contravention of the act.

In my mind, the Minister of Transportation should have stepped aside during the period that that investigation was taking place, the way Mr. Wilson did, the way Mr. Runciman did, the way that Ernie Fage has stepped aside and the way that other ministers have stepped aside when they have had a situation which makes the integrity of this House and the members of this House suspect when it comes to the opinions of the people of Ontario.

After all, there was a period of time, not too long ago, when Premier McGuinty—he was not Premier then, he was leader of the official opposition—during a Liberal convention, I believe, called the then-Minister of Health, Mr. Tony Clement, corrupt. Mr. Clement took issue with that fact. It was a libellous charge. He brought a libel charge against the Premier, and the Premier, on advice from his lawyers, had to apologize for calling Mr. Clement corrupt. I wonder if that's the kind of integrity that this Premier is bringing before this place.

So when we look at all of the facts that are before us here, and we wonder where integrity comes from, where the people of Ontario expect integrity to come from in this place, it comes from each and every one of us. It's up to each of us to ensure that we conduct ourselves at the highest levels, in the way in which the people of Ontario expect us to do.

1540

The Acting Speaker: Further debate?

Mr. Peter Kormos (Niagara Centre): I hope other members agree that it's never pleasant for any of us to have to address this sort of matter. We are probably incredibly fortunate in that it is the exception rather than the rule that debates like this are before this assembly. I take no pleasure in having to participate in this response to the Integrity Commissioner's report, which means, as well, his findings.

I do want to raise an interesting matter at the very onset, in terms of what the responsibility of this assembly is. Clearly, in my view, section 34 of the Members' Integrity Act is what we're guided by: "The assembly shall consider and respond to the report within 30

days...." That's what this motion—I agree—gives effect to.

But in terms of the power of the assembly, there is some significant restriction. Subsection (3): "If the commissioner recommends that a penalty be imposed, the assembly may approve the recommendation and order that the penalty be imposed, or may reject the recommendation, in which case no penalty shall be imposed."

Further, in subsection (4): "The assembly does not have power to ... impose a penalty if the commissioner recommended that none be imposed, or to impose a penalty other than the one recommended." It's that final, last restriction that's of interest, because the commissioner is restricted in terms of what he or she can recommend in his or her report:

"(a) that no penalty be imposed;

"(b) that the member be reprimanded"—and that's the case here;

"(c) that the member's right to sit and vote in the assembly be suspended," etc.;

"(d) that the member's seat be declared vacant."

Clearly, there's a hierarchy of recommendations here, starting with no penalty, all the way up to vacating the seat.

But what's interesting is that—and I'm not speaking to the Minister of Transportation and that situation at all—in an instance where the commissioner recommended that the seat be declared vacant, the assembly's hands are tied in terms of either accepting that or rejecting that. It can't say, "No, we think that"—because that's the most serious penalty, if you will, that's imposed, right? The assembly doesn't have the power to say, "With all due respect, Integrity Commissioner, we accept your finding, of course, that a breach, a contravention, occurred, but we would recommend that, rather than the seat being vacated, the member merely be suspended or that the member merely be reprimanded." In other words, it's one thing to say that the assembly doesn't have the power to impose a higher penalty on that ladder of responses, but it's another thing, in my view, to say that the assembly can't impose a lesser penalty, other than for the fact that this may be, in the views of the authors of this legislation, an implicit understanding of the fact that the government is always going to protect its own and perhaps not protect opposition members. Is this the reason why the legislation doesn't permit the assembly, for instance, to consider another consequence/penalty, albeit a lesser one, because then the government would abuse its power to circumvent the Integrity Commissioner and simply arbitrarily impose the lesser penalty, or indeed recommend a mere reprimand, when the commissioner has recommended suspension or, in an even more serious contravention, the vacating of the seat? Which brings us, then, to the responsibility of this assembly.

This is an incredibly grave consideration by this assembly, just as it is by the Integrity Commissioner because, as is indicated, the Integrity Commissioner has the power to recommend that a seat be vacated, that the will of the electorate of a particular riding be overridden.

The assembly has the power, of course, to either reject that or to accept it, a very serious consequence. It is my view that it should be undertaken in a non-partisan way, but we haven't seen any of that, with regret, from government speakers to this matter.

The other observation is this: We've been incredibly fortunate—this is just my view; I don't know if others share it, but I hope you do—in terms of the people who have fulfilled the role of Integrity Commissioner here in the province of Ontario. All of us remember with great regard and fondness Judge Evans, who was an incredibly valuable participant in the development of this whole process. Judge Rutherford: I remember him with great fondness; again, an experienced judicial authority, just like Judge Evans, years and years of experience under their belts. And now, the skill and talent and incredibly hard work of Judge Osborne.

Why I name these people, and obviously Judge Osborne, the author of this report, is because they are drawn into these debates, in my view, in a most unfortunate way. I've listened to and reviewed so many of the comments by government members. There has been, I say to you, some very purposeful distortion of the comments made by Judge Osborne in his report, which he, of course, can't respond to. He, of course, can't clarify. He, of course, can't correct.

There has been the selectivity. There has been the very selective reference to very limited portions of his well-crafted, I'm sure, and well-thought-out comments. For instance, Judge Osborne in his final statement says, "... I think it would be unfair to sanction the minister beyond issuing a reprimand under section 34(1)(b)."

I don't think it's very fair in any way, shape or form to suggest that by that Judge Osborne was in any way commenting on the Minister of Transportation's political future or the responsibilities of the Premier vis-à-vis the minister or the responsibilities of the minister. Clearly, Judge Osborne is just talking about those sanctions contained in section 34, ranging from no penalty through to vacating a seat. He wasn't talking about the sanction of being dismissed by the Premier. That's the Premier's responsibility. Judge Osborne knows that full well. For participants in this discussion to have used that language by Judge Osborne as somehow some sort of direction to the Premier that the Premier shouldn't act any further on this matter is inaccurate and, as I say, puts the Integrity Commissioner in a difficult position, because I believe his words are being misused, and he doesn't have the opportunity to correct the record.

Mind you, I find it equally interesting that in juxtaposition to that very statement by Judge Osborne, in the very sentence prior to it, he writes, "I also recognize that in circumstances like this, there is a political price that sometimes has to be paid." He then says, "Since this is a matter of first impression, I think it would be unfair to sanction the minister beyond issuing a reprimand...."

1550

Exactly what is Judge Osborne saying? Judge Osborne, I put to you, and I do this after a careful reading

of his comments, is very cognizant of the fact that ministerial misconduct—and he's referring to the misconduct of the very minister who is the subject matter of this report—may well carry with it a political price. In this context, I suppose it could range from, on one hand, mere disfavour with his or her electors through to—you've got to be from Mars not to understand that the price to be paid for ministerial misconduct is termination of your position as minister. I'm not suggesting that Judge Osborne was recommending that; I'm suggesting very clearly that he wasn't telling the Premier not to, and that, furthermore, he was clearly tempering his penalty with the consideration that Mr. Takhar, the Minister of Transportation, may well find himself in serious trouble vis-à-vis his Premier and in terms of his ongoing role as minister.

This isn't about Mr. Takhar anymore, is it? Let's be clear. Mr. Takhar is as pleasant a person as you're likely to meet. I have no quarrel with that observation and no qualms in expressing it. But look, I read the statement made by Mr. Takhar in the assembly yesterday and how it was reinforced by subsequent members of the government in their comments: "He didn't steal any money. He didn't enrich himself." Let's face it: He got caught. He didn't turn himself in; he didn't surrender. He got caught.

The defence offered up yesterday, or at least the mitigation, caused me to pull newspaper clippings from back in 1998, because it struck me as the Clinton defence that was being offered. Do you remember that? I wanted to make sure I had the exact quote. It was the Clinton defence in 1998. Bill Clinton: "I did not have sexual relations with that woman: Ms. Lewinsky."

"I did not enrich myself as a result of my breach of the integrity act. I did not profit as a result of my breach of the integrity act." Just like Bill Clinton misunderstood what most people regard as sexual relations—and there are children here, so I'll not get into details—Mr. Takhar, with all due respect, doesn't seem to understand the purpose of the rules.

When you're dealing with integrity, perception is as important as reality. You know the case—what is it? What is that case, Speaker? Is it the judges' case? Justice must not only be done; it must also be seen to be done. Have I got that pretty close? I'm doing it from memory. To maintain integrity, there not only has to be, in this instance, the reality of arm's length; there has to be the perception of arm's length.

Just what did the Integrity Commissioner have to say about the minister's attendance at Chalmers? He said, "There is, however, no doubt that the minister was egregiously reckless in participating in the April 29 meeting at Chalmers. He virtually invited a complaint by his conduct."

To be perfectly fair to the findings of Judge Osborne—and unlike others, I'm not going to try to be selective—he goes on to say that with the evidence before him, with the facts that he had available to him, if he were to conclude, on those facts alone, that the

minister engaged in the management of a business, he would be “trespassing on the ground of speculation.” That’s fair enough. Mr. Takhar isn’t being cleared by that statement. Judge Osborne is indicating that Takhar virtually invited a complaint by his conduct, by his participation in the April 29 meeting, his “egregiously reckless” participation. Furthermore, while the facts weren’t sufficient to find as a fact or to conclude that the minister engaged in the management of a business, Judge Osborne says, on page 28, “I can find no more than an error in judgment, that is negligence, on the minister’s part.”

The Members’ Integrity Act doesn’t cover errors in judgment, it doesn’t cover negligence, but parliamentary standards sure as heck do. This is the problem. There is more than a little bit of pettifoggery in the positions taken by government members in their effort to analyze and interpret the Members’ Integrity Act. Do you think so? I think so. In their zeal to acquit their colleague Mr. Takhar, they do a disservice to the act and to its intent. Again, whether the Premier dismisses Mr. Takhar or not is the Premier’s decision. I know all about that. The Premier has the power to put people in and out of cabinet, and voters have the power to put you in and out of Parliament. But it seems to me, like Mr. Runciman, who has been here at least twice as long as I have, that in the 18 years that I’ve been here there has been a decline in the standard that ministers are expected to adhere to. It’s everybody’s fault. It’s our fault. With the rejuvenation of the press gallery, we’ve gone through a generation of journalists, at least, in the course of that 18 years. There is a loss of some institutional memory, and that’s truly regrettable.

Quite frankly, in a practical way, at the end of the day, from a political point of view, Mr. Takhar and the Premier would have been well served by Mr. Takhar’s prompt resignation and his restoration to cabinet three months later. The sad thing about this is that there is a stain now—I’ll go further and say there are probably many, but let’s deal with this one—on this minister and this Premier’s judgment or standards when it comes to ministerial conduct with respect to judgment. Isn’t the Premier responsible for ensuring that ministers exercise good judgment? Here we’ve got Mr. Justice Osborne clearly finding an error in judgment, to the point of negligence on the part of the minister. Again, I don’t relish pointing that out, but that’s what Judge Osborne—an entirely independent, very skilled determinant of fact—found. He goes further to find that there was a breach of the act.

The defence of ignorance of law: He’s a minister of the crown. He’s paid a whole lot of money and has a big staff, a whole lot of people paid a whole lot of money to advise him and counsel him. It’s his job, it’s all of our jobs to know what’s in the Members’ Integrity Act, especially if you’re a minister. If we don’t know what’s in the act, if we don’t take the time to read and understand what’s in the act, then it’s all for naught. Then it’s all a charade, isn’t it? It has nothing to do with integrity,

either de facto or the appearance of it. It has everything to do with just playing a game of “Oh, well, we’ve got the Members’ Integrity Act, but, oh, to Hades with it” when it becomes bothersome, and I don’t think that’s good enough. It’s not good enough for us and it’s not good enough for the people of Ontario.

1600

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women’s issues): I’m very happy to speak today, and I want to speak specifically about Minister Takhar. I had the privilege more than two or three years ago of being one of the members of the McGuinty team who was out across the province searching for candidates when we were getting ready for the last election. I had an opportunity to see Harinder Takhar in his home riding, with his constituents, friends of his, colleagues, people he served with in voluntary occupations. I had a very good window, which I think many people in this House have not had, of Minister Takhar, because what we see here and what the public has largely seen is the Minister of Transportation. He’s out building roads and doing things for safe children in cars and all of those good things around his portfolio.

But the man I met years ago is an individual who, like people many of us know in our own constituencies, came to this country as a young man with virtually nothing, educated himself in the evenings, while he went to work during the day, and because of his own initiative and his own hard work, he made himself into an extremely successful businessman.

The man I met is one who had already started giving back to his community by joining local voluntary organizations. He was on the school board trusteeship. He was the eagle eye on the finances of the school board in his area. That’s when I met him. He’s involved with his own heritage organization of which he is very proud. Everyone knows Harinder Takhar in his own constituency and they think a great deal of this man.

Here was an individual with the kind of values that I believe are Liberal, an absolutely perfect individual who could be a candidate for us in the last election, and sure enough he was. He had an overwhelmingly successful election. I have to say that most MPPs new to the business don’t get elected and put into cabinet right off the bat; in fact, very few do.

I did not mention the idea that he would have to put his multi-million dollar business in a trusteeship, that he would virtually walk away from his second home, which is the empire that he has literally built over the years, that he would turn everything he has over to somebody else in a total blind trust, that he and his family, in particular his spouse, would have to fill out—this isn’t his; I brought a copy of mine—the submission that we need to make, each of us, to the Integrity Commissioner to divulge every single thing that you own or do—and your shoe size also, which is about how my husband saw this.

When my husband took one look at what he was now required to submit to some fellow he doesn’t know, although he has a great respect for Justice Osborne, a

retired judge who is the Integrity Commissioner, he couldn't believe—no one in my family, none of my neighbours would believe what we need to submit as MPPs to the Integrity Commissioner. He just said, "You've got to be kidding me. This is outrageous. Why should they know my bank account number, my RRSPs, my stocks, what my stocks are, how my stocks are doing"—it was just unbelievable. I said, "You know, you've got to do this." He was actually going to be quite difficult about it and wanted to refuse, and thankfully he didn't, so that I could actually join the Premier in cabinet. But I have to say that it is very extensive and intensive.

I didn't mention that to Minister Takhar when I was trying to seek that he would run for us in the last election. Nevertheless, he went through that process. Yes, we've all read the integrity act. It's one of the first things all of us do, but I have to say that when it comes time with your own family members and one of them is going off to university and you've got to have a good, solid financial conversation with your wife about how you're organizing the financing for this daughter to go to school, you go to her at work, over lunch, and you have this conversation. I think anyone on my street would look at that and say, "Yes, that sounds normal." But not in this world, because in the world we live in, perception beats reality. That's just the reality we face in this business, that what it looks like is different from what it actually is. After 11 years here myself, I've learned that innumerable times the hard way: that depending on how very normal, everyday things are seen makes all the difference in the world to people.

I can say that I did not expect that this leader of the opposition would have his operators out with cameras and lenses to take a photo of Minister Takhar having lunch at his wife's place of business, which, up until 2003, was his second home that he built from scratch. I have to admit that that was a little surprising to me and I was a bit taken aback, because I think it's inappropriate to be chasing people around with cameras. It begs the question, are you taking pictures of me? What kind of pictures have you got of me? I mean, it's got a very creepy feeling to it. That is very disgusting about this whole story, because that in fact is what they then presented with a bit of glee: "Look, he's at his wife's place of work."

Harinder's reaction was what everyone on my street, I think, would say: "Yes, so?" But the perception—because that used to be his place of work, he's not supposed to do that. I have to tell you that when it was pointed out to him that you can't do that, he was quite surprised, in fact, that you do have to worry about what you do and where you go and who you're seen with because of some of the allegations that have come out of this, that somehow he might have personally benefited in his position as the minister.

He's the Minister of Transportation, people. Did he get himself a new road, like an extra road? Please put this in perspective. Yes, he should not have been at his wife's place of work, which just happens to be his second home

which he built out of nothing. Yes, that's true. I think he's learned that lesson, but I have to tell you that he is new to the business of politics.

He was just elected as an MPP in these last two years. I think he's learned a great deal. I think he too has brought a great deal to the job of minister. He comes from a business community where he's in charge, and he's used to an environment that says, "No, no, this is the business way that we are going to apply to this situation to solve this problem." He doesn't get the luxury of that anymore, because he's got to deal with the bureaucracy of government, with permissions that extend to treasury board, central agencies, and the Premier's office, when in the end, what he's used to doing every day for a living is solving problems. That's what he's been doing for his career, and he's done it very well.

I, for one, having known him in a very personal way with his constituents, with his family, am proud to suggest that this is the kind of integrity that I like to put forward and say, "That's a Liberal. That's the kind of man who runs for our party and does a good job for us, who cares about the people where he comes from." I acknowledge that we all have an awful lot to learn about perception over reality in this job. I'll say that we're all going to make more mistakes, me included, and I think all of us will at some point fall into that without realizing what something might look like. But I stand behind Harinder Takhar, and I would stand behind him again tomorrow.

Mr. Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity to participate in this debate. I guess the intervention by the Minister of Community and Social Services—as one who sat in the government benches for a little over eight years and listened to the attacks from the Liberal opposition, I have to say that that so-called contribution was disturbing, to say the least. We can go back over the Hansard record of the unrelenting viciousness of the Liberal opposition with respect to ministers of the former government.

I want to say to anyone who's tuning in this evening—they may wonder what this is all about. What it's about is an unprecedented report by the Integrity Commissioner of Ontario with respect to a member of the McGuinty cabinet, wherein the Integrity Commissioner calls for a reprimand of the minister and references his conduct as "egregiously reckless." It's unprecedented to have those kinds of words describe a minister of the government and for the Integrity Commissioner to call on the government, call on this assembly, to exercise a reprimand.

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The Integrity Commissioner also explains that he cannot, in terms of the powers in his act, explain what that reprimand should be. We believe, in terms of defining what that reprimand should be, that that bar was set back in 1997. Who set it? A gentleman by the name of Dalton McGuinty. He set the bar, back in 1997. I'm going to make some reference to that as we go forward.

We heard the Minister of Community and Social Services talk about this poor new member who came into

this building very naively to make a contribution. Okay. Well, we all hopefully come in here to make a contribution. This is a man with extensive business holdings. If anyone should have been paying attention to the requirements of the Integrity Act, it's someone with significant business holdings in the province of Ontario, because there's quite a process you have to go through to put them into a blind trust and know the requirements with respect to contact or business conduct or business participation. If anyone should have known, Mr. Takhar is a prime example.

The Minister of Community and Social Services referenced the official opposition, the Progressive Conservative Party, retaining a photographer to go out to Chalmers corporation to see what was going on. Did we just pull a day out of the hat to go out there and, lo and behold, there's Mr. Takhar? The reality is, we were advised—whether it was a disgruntled employee, whomever; that's irrelevant—that Mr. Takhar was at that place of business on a regular timetable, conducting business. He was there on a regular timetable, not just one day. Our photographer happened to be there on one day. Lo and behold, as the government members would suggest, this happened to be a fluke, a miracle. It was anything but, and the Integrity Commissioner suggests that in his report. He can't decide whether or not Mr. Takhar engaged in the management of business. He doesn't have the evidence before him to confirm that; he only had the photograph from one day, which Mr. Takhar could not deny, but how many other days was he out there? Our photographer was there based on reports that he was appearing at that business and participating in the management of that business on a regular basis. That's the reality, and we don't hear these folks talking about it. That's the kind of conduct which they are endorsing.

You go back to their time in opposition. They certainly wouldn't endorse this kind of precedent-setting activity on the part of a cabinet minister; no siree, Bob. It was much less in terms of the bar: They wanted people's heads on a plate. They wanted us fired. I happened to be one of those, so perhaps I have a bit of a grudge, because in the throne speech there was a suggestion that a young offender may have been identified by the mother standing up and applauding the government for its activities in dealing with young offenders. The opposition said that that was something the minister should resign over. There was some question about a breach of the Young Offenders Act. I stepped aside because there was some question. I stepped aside until an investigation was conducted. The RCMP conducted that investigation and determined that I had not violated the act, and the Premier of the day restored me to office. That's the sort of thing that they wanted resignations for.

If we go back to the Integrity Commissioner's report, in 1997, Minister Al Leach was reported to the Integrity Commissioner for a breach where he wrote a letter to the restructuring commissioner on hospitals asking for some relief, I gather, for the recommended closure of a hospital in his riding. He wrote as a private member, not in his

capacity as a minister. The Integrity Commissioner indicated that that was wrong, but there was no reprimand recommended. He suggested that a series of things be done, which the Premier of the day complied with. He complied with all of those recommendations.

But of course that was not enough for the Leader of the Opposition, one Dalton McGuinty. Quoting from Hansard on June 25, 1997, Mr. McGuinty said: "The Integrity Commissioner found that the minister, Al Leach, is in breach of the legislation that governs our behaviour.... It seems to me that in those circumstances what the Premier should have done today is he should have stood in his place and said that he has asked for the resignation of the minister, and to that he should have added that he accepted that resignation." That was on June 25.

Later on in a supplementary: Minister "Leach is in breach of the legislation.... He has broken the law and ... he should resign." Then he said, because two somewhat similar letters were written by other members of the executive council—Dianne Cunningham and Robert Runciman—that those ministers should resign; they should do the honourable thing. They should quit too, or he should demand their resignations. That was the Dalton McGuinty standard when he was right in this chair, right here. That was the standard. What is it, 20 feet here, 25 feet?

Mr. Chudleigh: Two sword lengths.

Mr. Runciman: Two sword lengths. Now what is he saying? We have an unprecedented report on our desk where a minister of the crown engaged in egregiously reckless behaviour and now, all of a sudden, that's okay to Dalton McGuinty and the Liberal government. That's shameful, shameful, shameful. They should be embarrassed.

I see Gerry Phillips, the Minister of Government Services, sitting over there. I have a quote from Mr. Phillips in that debate. Mr. Phillips should be standing on his feet and saying, "What's different between 1997 and 2006?"—other than the fact that his minister was engaged in a much more serious activity and has a much more serious reprimand from the Integrity Commissioner. Mr. Phillips—and I have a quote here from him—was again referencing the Leach affair, and Jim Wilson as well. But this is Leach. Gerry Phillips, on June 26, said, "You broke the integrity act; you broke the law. My question is very simple: Knowing all of that, why did you not tender your resignation?"

I think it would be nice to hear from Mr. Phillips today during this debate why his position has changed, why his party's position has changed, why the Liberal Party, now that they're in government, have a much different standard in terms of the conduct of ministers of the crown than they had in 1997, when they were sitting in opposition.

Mr. Chudleigh: Double standard.

Mr. Runciman: It's clearly a double standard, and we could use language much stronger than that. But, Mr. Speaker, you would find it out of order. It would be

unparliamentary for me to use the kind of language I would like to use and that most people viewing or listening today would understand very clearly. But hopefully they're getting the message. You say one thing here when you're in opposition and do completely the opposite when you're in government. We can be upset about whether you said one thing about, "I won't increase your taxes," and you go across the floor and you increase taxes. That's upsetting enough. But what we're talking about here is integrity; we're talking about honour; we're talking about trust—very, very serious questions, especially when we're dealing with the Premier of the province, the current occupant of that seat. He's the one who said these things not too many years ago. Did he believe them then or was he trying to fool the people of Ontario? Why would he say, for a much less serious offence, that the minister should be gone; he shouldn't be serving in the executive council? And four or five years later, when he has one of his own ministers, one of his own Liberal cabinet ministers, found guilty by the Integrity Commissioner of the province, a very respected judge, that that minister engaged in egregiously reckless conduct, it suggests, I think strongly implies, there is much more involved in this than he could report on simply because the evidence wasn't before him.

But now, under changed circumstances, 20 feet across the aisle, the Premier says it's okay. What are his standards? We can talk about Mr. Takhar. I have no doubt that Mr. Takhar is a nice guy. Well, I know that Dianne Cunningham is a very nice person. I know that Jim Wilson is a good fellow. But that never—never for a moment—was a consideration when they were viciously attacking those individuals day after day after day. Now they get on their holier-than-thou pedestal and say, "This wonderful man: He decided to come in here and make a contribution."

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The reality is, all of us are here trying to make a contribution. We're good people, hopefully, every member of this assembly. But to use that as a justification, a defence for not doing the right thing, not firing that individual when he was found responsible—guilty—of egregiously reckless behaviour as a minister of the crown, again I say is shameful, and every member of that Liberal bench across the way should be hanging their heads in shame, especially those who served in the loyal opposition. They participated in this. They knew the position of their party five or six years ago, yet here they are sitting in the government benches, silently. When we do hear from one of the former members, we get this baloney, the stuff about what a good person the member is, so we should overlook egregiously reckless behaviour because he's a good person. Egregiously reckless behaviour doesn't mean a damn thing.

You know, the reality is, though, that a young offender might have been identified. Off with his head. Jim Wilson's assistant may have said something they shouldn't have said. Off with Jim Wilson's head. Dianne Cunningham might have written a letter supporting the hospital in

her riding. Off with her head. Did anyone suggest that, because they might be nice people, they shouldn't lose their heads? Absolutely not; a completely different position to the Liberal members of the day.

Why don't you stand up and defend it, given what your member said five, six years ago? Why have standards changed? Why has the bar been lowered? Let's hear a good explanation instead of getting up, getting the crying towels out and talking about good people. That just doesn't wash with people like myself who have been around here and listened to those attacks day after day after day on good people, very good people. They didn't care about their reputations. They didn't care about their futures. They attacked and attacked and attacked.

You wonder why I'm upset? You wonder why we are upset? You set the bar. Respect the bar that you set. That's all we're asking. You don't have one standard over here in opposition and then another standard when you cross the floor, 20 feet, and become the government of Ontario. That's not right and you should own up to it. The Premier should have done the right thing. If he can't, if he is unwilling or unable to do the right thing, Minister Takhar should do the right thing.

We're going to continue this debate. It is unprecedented in the history of this Legislature and we believe it's extremely important. We're talking about standards; we're talking about integrity; we're talking about honesty. What kinds of standards does Premier McGuinty have for members of his executive council, for his government, if egregiously reckless behaviour is okay? All of a sudden it's okay. But we don't accept that. We're going to keep this debate going. We're going to keep it going as long as we possibly can within the rules of the House.

I am the House leader of the official opposition. I know the House leader of the third party. We've worked very well with the House leader of the government. We want to see things move. We don't want to be obstructionists. If there are certain things that we disagree with, then we'll make sure we, in the most effective way, put that on the record. But in terms of moving ahead, from our perspective, we are so upset with this and Ontarians should be so upset with this.

Obviously there are other things going on. This is not getting much attention. So be it. That's the way it is. Sometimes people listen, sometimes people heed and sometimes they don't, but this is a matter of principle for us in the official opposition. We feel extremely concerned about this issue where the Integrity Commissioner had taken such a strong, strong position, and then to find it virtually ignored by Premier McGuinty.

I wonder what the Integrity Commissioner was thinking when he drafted this report. He must have been wondering. Maybe he went back and looked at Hansard and saw what Mr. McGuinty said in Hansard. He said, "Well, there's the bar Mr. McGuinty set in 1997." Al Leach was the bar, as far as McGuinty was concerned, that justified firing, that justified removal. So the Integrity Commissioner, in drafting this report, said, "So

that means I can feel comfortable in the fact that when I say 'reprimand,' that means this man is gone for egregiously reckless behaviour," because this is much more serious, and I don't think anyone for a moment doubts or questions that.

It's disturbing to hear, when the occasional government member participates in this debate, their justification and rationale. I think all of us should participate in throwing back these quotes, throwing back these positions, and hopefully getting the message out over the course of the next weeks that we debate this, having more and more people across the province understand the double standard, understand the positions Mr. McGuinty took as Leader of the Opposition and what positions he's taking now as the leader of this province.

I want to say that with respect to standards, our leader, John Tory, is I think very enthusiastic about accountability and about changing the standards in this place to improve the reputation, the tenor of this assembly itself in terms of debate in question period. He certainly encourages us, and we see it in the House every day, where government members—today was an excellent example, where questions from the opposition were drowned out on a regular basis by the members on the government benches. That's the sort of thing that's happening on a regular basis. But I think it's indicative of the change, if you will, in approach from the opposition benches to government with the Liberal Party of Ontario. They don't stand by anything they said in the past. There may be the occasional promise or two or commitment or two that they deem to be politically wise to keep, but when it comes to important matters like this, important matters of principle, they fail to keep them, and that is doing a grave disservice to this assembly and to the people of Ontario. I believe that very strongly.

I would encourage the Minister of Government Services—he's here this evening—later on to get up and talk about what he said in 1997 and why he has a different perspective, why he and his colleagues have a different perspective today now that they're sitting on the government benches, now that they're sitting in cabinet, now that they have the chauffeur-driven limousines, the expense accounts, the world travel. That wouldn't have anything to do with it, I'm sure. But we would certainly like to have some kind of valid and understandable explanation of why they had such a dramatic change of view with respect to what should determine the appropriateness of a minister staying in cabinet. This is a dramatic change, one that merits a fulsome explanation, and we haven't had it today.

Mr. Gilles Bisson (Timmins–James Bay): Normally, one would lead off their speech by saying, "I'm pleased to participate in this debate today," but I've got to say, quite frankly, that I'm not.

I think a couple of things are at issue here. The way I see it is that individual citizens out there, more and more as we talk to them on the campaign trail in federal, provincial, municipal or school board trustee elections, are participating at a lesser and lesser rate. We're seeing

governments elected in some cases with barely 50% voter turnout. The thing we hear all the time when we're talking to voters is that they're saying, "Oh, they're all the same. They say one thing before they get elected, and once they get elected, they go out and do completely the opposite." I say that in this particular debate, what's happening speaks exactly to the cynicism voters are feeling, not only here in Ontario but across this country.

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We've just come off the heels of a federal campaign. Those federal campaign results, like it or not, changed the government from being a Liberal government that had been in power for almost 13 years to being hoisted out and replaced by a Conservative government. What I think Ontarians and Canadians said generally in that election was that they were trying to punish the federal Liberal government for a very simple reason. Yes, the Gomery issue was one big issue; they had lost confidence in the government. But there was a sense among voters that at the end of the day this government could not be trusted because it had a standard that was not acceptable to most people.

Their feeling also was that the whole issue of ethics, which the Conservatives basically ran on, along with the New Democratic Party and others, was really the crux of it. Canadians in the last election were saying, "We want things to change. We want governments to do a couple of things. We want governments and politicians specifically to be held to a higher standard, so that when they say something in an election, they say and do what they mean."

More importantly, when things happen—because things will. Nobody can predict what's going to happen in the life of a Parliament, which member is going to say what, what minister is going to do what, what the circumstances may or may not be around particular situations we find ourselves in. But at the end of the day, people want to know that if something happens, people will be accountable.

I hearken back—I don't normally talk about politicians from outside the country, but I think it'll make the point—to John Kennedy when he was elected President back in the early 1960s. He had been approached by the CIA and others in regard to the Bay of Pigs invasion. Yes, that was something that had been contemplated by the Republican administration, something they had planned, but at the end of the day he gave the go-ahead for that fiasco, as it turned out, to go forward. The interesting point is this: Back then, as today, the normal reaction of a President or any politician would have been to say, "Not my fault. It was the other administration. Not my fault. It was Dwight D. Eisenhower and Tricky Dick Nixon as the Vice-President who decided this was the thing to do, and I didn't know all the facts," or whatever his defence would have been, "and I went ahead." When his advisers came to him and tried to advise him to deflect the attention from himself, as far as responsibility was concerned, on to the previous administration, Pres-

ident Kennedy said, "No, I'm the one who made the final decision and it's my fault." Case closed.

What happened to his popularity? His popularity actually went up. People responded and said, "Listen, agree or disagree with the decision he made, at least he took responsibility for the actions in regard to the decision he took."

I think that's all Canadians and Ontarians are asking. They recognize that MPPs and MPs, politicians, are citizens who run and are lucky enough to be elected. All people want to know at the end of the day is that when we fail—and we will; we have all failed. Anybody in this Legislature and who says, "I can stand here and say that I have never failed" or, "I haven't done something that I regret, said something to somebody or acted in a particular way," I think is lying. The reality is, we're all human beings. Citizens get elected to become politicians and they come to Legislatures like this, and all the other citizens want is to say, "When you fail, take responsibility." I think that's the crux of this issue. We have in this case a minister who erred in judgment. He has said that, the Premier has said that, and the Integrity Commissioner has said that very clearly in his report.

I think what is not unreasonable is for the public to expect that the minister and, more importantly, the Premier will take the responsibility and say that there's been an error and the minister will step aside. Like it or not, the parliamentary system says there is ministerial responsibility and if a minister does something wrong, he or she must take the responsibility and step aside.

There are many cases in the past where that has happened. A good example is the speaker before us, Mr. Runciman. He and I have been on the opposite side of a lot of issues, sometimes on the same side. He and I have been in this Legislature for many years. But when he erred as a minister under the Harris government, what did he do? He stood aside, and eventually the Premier called him back. The Premier felt he had paid his price and, at the end of the day, he was able to come back. Ontarians said, "All right. He was in the penalty box. He accepted his responsibility. He accepted that he erred and now he's back. That's fine. Slate wiped off." If it had been something really serious, that's a totally different issue. Then maybe there would have needed to be a resignation.

The point is, somebody has got to take the responsibility. Until Premier McGuinty figures that out, I think he's failing Ontarians. It's as simple as that. The Premier has got to understand that, as Truman said years ago, "The buck stops here." It stops on the desk of the Premier. To all of a sudden try to say whatever gobbledygook he's been trying to give us about, "Oh, the minister is really sorry for what he did; he made an error in judgment," and then the minister came into the House yesterday in a very emotive way and said he was sorry—well, I'm sorry, it's not good enough. You've got to understand what Ontario voters are feeling. If they don't come out in large numbers to vote, it's because of instances like this. People say, "There we go again." You can do this, and you can try to get away with it and spin it

whatever way you want, but, at the end of the day, citizens say they want you to take responsibility.

Do I have a high regard for Minister Takhar on some fronts? Yes. I think he's a decent human being—like all of us—who comes to this assembly, who tries to do the right thing. He worked hard all his life to study and to build up his business, as we all did in our careers or businesses. There is not a member in this assembly who would have got elected unless they cared, unless they worked hard, unless they studied, unless they really had their shoulder to the wheel and did what they had to do in order to advance and do better for their families and their communities. We're all the same. We're all honourable members. But that's the key: We are honourable members. And the honourable thing to do at this point would be for him to stand aside.

I say to Minister Takhar that you'd be doing yourself, this assembly and all elected members a good service by saying, "Not only have I erred; I will stand aside." After that, it's up to Mr. McGuinty, our Premier, to accept that. I would urge the Premier, once offered, to take it. If after a given period of time, after time has gone by and people feel that he's paid his time in the penalty box, it's up to the Premier to decide if he wants him back, as did the former government and the previous Premier with Mr. Runciman. Take him back. The debt has been paid. But people want to know that you're going to be accountable.

I'll give you an example of what happened to me, I think it was this morning. A constituent had called my office yesterday and complained that a letter had been given to me in the fall and there had not been a response. It turns out that we had responded to it but it didn't get there for some reason. I said, "Listen, I'm sorry. I apologize. Our fault. It didn't get to you. It's nobody else's fault but my own. I am endeavouring to respond to the issues you have. That's why I'm calling you now." The woman was upset as heck. I don't blame her. She wrote her MPP a letter back in October. It had been responded to, but for some reason the letter never got to her. I saw it on the system as being drafted, signed and sent, but that doesn't matter to her. All she knows is that she never got a response. I said to her, "I'm sorry. I really want to apologize." She said, "It doesn't sound like it was your fault." I said, "It is my fault." Because I'm the MPP and whatever happens in my office, if it's a failure of my staff or a failure of the system or whatever it might be, ultimately, I have to take responsibility. That's just a simple thing. Obviously, you're not going to resign because of a letter, but my point is that she appreciated it. She said, "I'm still a little bit upset over the issue but I accept that. Can we work together and respond on the issue?"

I think we've all done that at times, because all MPPs deal with thousands of issues every year. How many phone calls do we get in our offices, how many letters and e-mails? Obviously, something is going to fall through the cracks at one point, but what citizens want to know is that you're going to take responsibility when you fail. That's really what I want to bring to this debate and

just to say to the minister, listen, I have no doubt in my mind that you're a nice guy. I have no doubt that you worked hard to be here and that you did everything you could for your family. I heard your speech yesterday; it was quite moving. Quite frankly, I felt for you. It's an awful position to be in when you're in the middle of a controversy like that. It's a tough thing, because this business is a very public business. It's a glass house. Everybody is looking in and everybody sees. I can well imagine how awful the minister and his family feel being dragged through this whole thing. But the best way to deal with it is to say, "I accept responsibility and I resign," and then move on.

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Quite frankly, I don't understand why the government just doesn't do it. At the end of the day, it's the easy thing to do; it closes a page and moves on. It does two things. First of all, to the public it says that we are—I was going to say the word in French. Every now and then I revert back and I can't bring a word back from French to English. What it says to the public is that we have integrity, that we say what we say and we do what we said we would do. I remember the speeches. I could stand here for the next 20 minutes and read Dalton McGuinty's speeches, and the speeches of a whole bunch of members who are in the cabinet now. They're all on my desk. I can read them. They all said the same thing. It was egregious when it happened to the Tories, and they demanded, as the Scots would say, to "Impale their heads on stakes." They really wanted to have payback. I'm not going to go through all those quotes; I think you know what the quotes were. We know that the Liberals in opposition were pretty hard on the previous administration when their ministers failed in one way or another. So I say to the government across the way, you owe it to the public and you owe it, I think, to the Liberal Party to do the right thing.

The second thing is, from just a political point of view, it's a smart thing to do. What good are you doing yourselves? This thing is dragging out in the media, day after day. It's got to be hard for some of the backbenchers, especially those in the 905 who are close to this situation. You're being dragged through this thing as you go out and try to do your good work as MPPs. I know all of you personally. You all work hard. I wouldn't vote for you, because you're Liberals—that's a whole other story—but I know you're all honourable members and you work really hard. But at the end of the day, it's got to be tough for you to go back into your constituencies and take heck over something that's really silly. End this thing. At the end of the day, bam, put an end to it. Close the page. Move on. I think you owe it to yourselves as a caucus to basically say, "Enough bleeding. We've got enough trouble. We're trying to deal with LHINs—and people are mad on LHINs—and we're trying to deal with issues of changes to the family services act," and all kinds of things your government is doing, some of which people support but some of which they don't and they're bugging you about. And you're having to take heat on this?

Politically, I think it's stupid. I really don't understand what's in the Premier's head.

I detect there is a little bit of a change of attitude with this government in this session as far as confrontation. It really bothered me yesterday, but especially today, to watch the responses that the Premier gave to Sid Ryan, as he was here in the gallery, over the whole OMERS thing. I'm not going to go through that debate, because that's for another day, but my point is that it's almost as if the government was looking for a fight. I say to myself, "How can you win that with the public?" I'm sorry; at the end of the day, if you pick enough fights with the public, eventually you're going to lose one. I remember the Conservative government picked their fights, and I remember our government picked our fights. I'll tell you, at the end of the day, it doesn't work. I just wonder what's going on with this government. They get tagged as the Liberals or the Lie-berals—I can't say that other word, "lie," in the Legislature—but they basically were tagged as Lie-berals. Now, all of a sudden, you're getting tagged as arrogant, and I don't know what the up side is. So I'm appealing to the backbenchers of this government. You guys should go to a caucus meeting and say to your Premier, "Enough. Let's cut our losses. This is enough of this. Let's move on."

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):

It's a pleasure to join this debate on this issue today. I think my friend from Timmins–James Bay and my colleague from Leeds–Grenville, and our leader John Tory yesterday, articulated very well what this is all about. This is not about a single person. This is not about a single party. This is about this very chamber and the acts that we conduct and how we conduct the acts within this chamber and how we act as people who are elected to this chamber. It's about the standards that we expect people to live by, because we set them. The standards that we set indicate how we see things, not only within this Legislature but outside the Legislature. I think we are expected to live by the standards that we profess to believe in. It really comes down to the standards of the Premier, Dalton McGuinty, and how those standards have changed. If we want people to take an interest and care and believe that what we do in this House and as legislators is relevant, then we have to respect those standards and abide by them and adhere to them.

One of the big debates going on today is why people seem to be tuned out of the electoral process, why people don't really have any interest in what party forms the government and who happens to be elected as members of the government. One of the reasons they feel that way is that they feel completely disengaged and uninvolved in the process.

When they're talking about electoral reform, they're talking about all kinds of different things we can do to bring people back into that process and into that exercise. The recent by-election in Scarborough–Rouge River had a voter turnout of 19%. You have to admit that the electorate was tuned out, has tuned out, felt that their involvement wasn't necessary.

We see things happening like are happening in the House now, where a minister of the crown has been found by the Integrity Commissioner, for the first time ever, to have engaged in egregiously reckless behaviour with regard to breaches of the Members' Integrity Act, and the Premier's response is to say, "Well, he's suffered enough. His name was in the newspaper; I guess he's suffered enough. He's been subject to criticism; he's suffered enough." But not a word from the Premier saying, "I have failed. I haven't got the guts to ask for this minister's resignation because I'm concerned about how it's going to look. After having had to accept the resignation of one minister not so long ago, I haven't got the guts to ask for this minister's resignation. Therefore, I admit that I have failed with regard to the standards I set and the standards I professed to believe in when I was the Leader of the Opposition in the last Parliament."

We all know what we're talking about there. In that Parliament, many members of the then Progressive Conservative government did resign when there was an accusation that they may have acted improperly. They stepped aside immediately. The Premier of the day's reaction was to accept those resignations or to call for those resignations immediately, to have them step aside until a proper investigation was done and the air was cleared so that person could either be accepted back into cabinet, should it be the Premier's choice, or sit in the backbench if that was deemed reasonable and fair.

But this Premier has said, "You know what? I was just politicking. I was just making statements. I was just trying to be political and partisan." You know, that's what the people of Ontario and the public in general are saying they've had enough of. Is what you say on one side of the House completely disconnected from what you say on the other side of the House? If that's the case, are we to believe anything you say in this chamber? How can we decipher what we can or can't believe or should or shouldn't believe?

1650

There were strong statements on the part of the Premier when those situations came up in the previous Parliament, when Ministers Leach, Cunningham and Runciman acted as what they felt to be constituency representatives and approached the Health Services Restructuring Commission, I believe it was called then, to plead on behalf of hospitals within their constituency, something that I, as a backbencher, would do without a second's consideration. That would be automatic. I would fight for my constituency. Unfortunately, it was ruled that under the act, as ministers of the crown, they were wrong in doing so. The Integrity Commissioner did not find them guilty of egregiously reckless behaviour. No, he did not. But then, the then leader of the official opposition, Dalton McGuinty, demanded in the most blunt, vicious way that those people resign and that the Premier call for their resignations.

The double standard is something that people cannot and should not accept from politicians. It adds to that, I believe, wrong impression out there that we don't care or

that we have no regard for the truth. That is not the impression we should be creating out there. We should be ashamed of ourselves when we behave in such a way that actually adds to that kind of thinking. Where are the ethics when you can say one thing on Friday and something else on Monday? We can't continue to act in that manner as parliamentarians and expect people to take us seriously and expect people to actually become involved and interested in this political process.

The Minister of Transportation has been found by the Integrity Commissioner to have acted with egregiously reckless behaviour in his breach of the Members' Integrity Act. The right thing to do, the proper thing to do, would be to step aside. The right thing to do on the part of Premier Dalton McGuinty would be to call for that resignation. He will not do it. Even under questioning he will not do it, even in spite of the evidence and the opinions of the media throughout this province calling for exactly that, saying there is no justifiable reason why he would remain in cabinet under these circumstances.

For the Premier to say that he has suffered enough is absolutely ridiculous. How has he suffered? Because he has to sit on the government side and accept the criticism of the opposition? That's how this place works. If you're on the government side, you accept the criticism of the opposition. That is part and parcel of the job we do here. We on the opposition side also have to sit and accept the barbs of the governing party if they think our suggestions or our positions are untenable or preposterous.

The Minister of Transportation said when he was first found to be visiting his place of business, Chalmers Group, "I've done nothing wrong." After the Integrity Commissioner found him guilty of egregiously reckless behaviour: "Now I apologize. I'm sorry. I'm very contrite. That's my suffering. Leave me in cabinet."

When he said he'd done nothing wrong, he also said that he's never been there. He doesn't have anything to do with the company; he's never been there. A little later the same day, "Well, I don't go there very often." But on his campaign website and on his biography, he talked about how the Chalmers Group was his company and that in 1995 it was recognized as a finalist as one of the 50 best-managed companies in the country.

"I've never been there. I don't go there very often. But if it's in my best interest when I'm campaigning, I want the world to know that I'm the owner, the chief executive officer of one of the biggest, best-managed companies in the country."

The Integrity Commissioner himself, in his ruling, said he found the position of the minister very, very questionable, because after it was proven that he did go there—because he was photographed there—and only after a reporter brought that to the attention of the public, did he actually admit that he'd been there. It raises the question, how was somebody that lucky to happen to show up at the Chalmers Group offices—where there's a parking spot, by the way, with the initials "HT"? Well, I don't know. Could it be? Is it possible? I've never been there; that's the truth. How could somebody be that lucky

that they could show up at that exact time, on that exact day that the minister happened to be visiting that office? It didn't happen as a coincidence. It happened because it had happened repeatedly before that.

For the minister to say, "I didn't understand. I'm new to politics. I didn't understand the Members' Integrity Act. I didn't understand that it was wrong for me to do that and now I know"—we expect more from a minister of the crown. A minister of the crown is not somebody who becomes a cabinet minister without having some excellent qualifications to do so, and one of those is judgment. You don't rise to the level, and the minister in question has risen to a very high level in the business community—well-respected. He's a very capable, qualified, intelligent human being. He must have judgment. He cannot simply brush it off and say that it was an error in judgment. That's not good enough; I'm sorry, but that is not good enough. We expect more. We expect more from our ministers.

One thing I did note here too was that even into this year, on the day the Integrity Commissioner released his report, the gentleman who was managing his affairs and was also the treasurer or something for his riding association had not been replaced. All through the time of the investigation, and all through the time that that cloud existed, he still must have felt he was doing nothing wrong. Is there anybody else in his riding that could have taken over that job with the riding association? Was there only one other person possibly capable of doing that job? I think not. I think there might have been somebody who could do it, but he didn't replace that person all during that entire investigation. Is that judgment or is that a personal belief that he continued to hold up to that point, maybe, that he hadn't done anything wrong? And until he was told point blank by the Integrity Commissioner, "You are guilty of egregiously reckless behaviour," he must have thought he was doing okay, that everything was just fine. You have to make some kind of connection. Good judgment would tell you that as a minister of the crown, you are not going to have the same person running your business affairs, which is supposed to be completely arm's-length, and also involved in your own riding association. Good judgment would absolutely prohibit you from drawing that kind of conclusion, that that would be all right. It's simply utterly and totally unacceptable.

But what is saddest and what I think people will remember the most—and the Premier said today that governments are judged, and they are judged, and people only get the opportunity to judge them once in a while. Come election day they do get that opportunity to judge them. But what I hope they remember, and I trust they will remember, is the absolute, deplorable disregard for honest standards that this Premier has, based on what he said, and he demanded the resignations of, as Bob Runciman said, good people. I am not judging the Minister of Transportation. That's not my job, nor am I qualified to do so. I am judging the actions of this Premier, who has stated over and over again that according to the standards

we should live up to, he should stay in cabinet. That Premier is wrong.

1700

The minister spoke yesterday in a very emotional way. He talked about how he came here for the right reasons. He ran for political office for the right reasons. I absolutely believe that 100%. I know this is not fresh; this is not new. We all say it. Everybody who has spoken has said that, because it is the truth: Everybody who would put their name on a ballot to stand for political office, public office, does so for the right reasons. This is not an easy choice to make. It's not an easy choice for anybody to make. When you make the choice that you are allowing your name to stand on the ballot for public scrutiny during an election, you've done it for the right reasons. We've all done it.

What we do once we get here is important. We have to ensure that everything we do in this chamber is for the right reasons and continues to be for the right reasons. We have to be able to get up in the morning and look at the man in the mirror. If you look at the man in the mirror and you say to yourself, "We haven't been perfect, but I think we've done all right. I think we've lived up to the standards that we've set for ourselves," if you can say that at the end of each day, or promise that to yourself at the beginning of each day, then you'll be doing something positive. You'll be doing it right. But those standards that you've set are your standards. No one can set standards for you but yourself. You set the standards that you abide by and commit to. This Premier has been shamefully and woefully untrue to himself, based on the standards he claimed to be his, that he believed in, that he could live with, the standards that he is willing to accept today.

All of the opinion writers in this province who have written on this particular subject cannot accept this. You know, in the world of politics this will blow over. It will. It always does. That is part of the unfortunate side of it. But history is going to look at this situation and they are going to evaluate it based on other circumstances and how people on this side of the House today, when they were on the other side of the House, were attacked mercilessly by the then opposition Liberals. That is recorded; it is part of Hansard. People will remember. They're going to ask themselves at some point, hopefully they're going to ask themselves on or about October 4, 2007, "Does this government have standards that deserve its re-election or not? Can it live up to the standards that it set when it was on the other side of the House?" I think the answer will be an emphatic no.

Mr. Michael Prue (Beaches–East York): I was here yesterday. I was sitting in the chair and I heard all of the debate. I think, for those of you who ever get an opportunity to sit in that chair, it seems to focus your mind. Not only do you have to listen in case someone says something outrageous or in case there is an affront to this House or to one of the members in the House, but you have to listen very carefully to what is being said.

I just want to start by telling you how it began and what happened. The government House leader, Mr. Bradley, stood up and made a motion. The motion is not a complex one. What we are debating here today is not complex. People are straying from the issue, I think, but the issue is a very simple one: "That the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein." That's what we're debating.

I listened all day yesterday to the many speakers, and I listened today to see whether there would be any amendments to that motion. There have not been any amendments. There can be, but no one has yet stood up to make an amendment. Therefore, the only thing properly before this Legislature, before this House, is that motion. Our motion is constrained. It is that we can either approve or not approve the report of the Integrity Commissioner; we can adopt it or not adopt it.

The Integrity Commissioner, in his wisdom, having studied all of this, having gone to, I think, considerable length to interview the parties involved, to look at the circumstances and the letters, recommends a reprimand. This is the first time, to my knowledge—and I tried to do some research—since the coming into force of the Members' Integrity Act that a member or a minister has been recommended for a reprimand. So this is a very serious event. I looked at the powers and authorities that the Legislature gave to the Integrity Commissioner, and his authority is pretty much confined to what he did. He cannot order a person out of the cabinet. In fact, I think he would have a hard time, unless some criminal activity were involved, having someone removed from the House. In the circumstances of the case, this is the most severe penalty that he can recommend, and it is the most severe penalty that we can debate having carried out.

Yesterday, I listened to what I consider to have been some of the finest debates taking place in this House. I listened to the government House leader as he initiated the debate. He took about five minutes, and he laid out quite clearly the case the Legislature had to meet and what we had to debate over these two or three or four days, however long it takes. He set it out.

Then I listened to the Minister of Transportation. The Minister of Transportation was tearful. What he said was heartfelt. He made an apology for his actions. I think that everyone who was here felt empathy for him. Everyone who was here knew that they conceivably, at some point, could find themselves in that same circumstance, either through inadvertence, from ignorance of what had to be done, and possibly—although I'm not saying so in his case—for just doing the wrong thing. It is hard not to feel sorry for the individual. It is hard not to feel sorry for a man like Mr. Takhar in the circumstances in which he has found himself.

I take no great pleasure in standing up and talking about this. In fact, I wish the whole thing had never happened. I'm sure all the members of this House wish that it never had happened. They wish that Mr. Takhar would have known not to go to his previous place of

employment. They wish that Mr. Takhar had not made the decision to bring in the treasurer from his riding association, that he had kept a more arm's-length relationship.

I listened, then, to the argument of the Leader of the Opposition. I have to tell you that, whether you agree or disagree with what he said, he said it in one of the most straightforward, most balanced presentations I have ever heard. You could have heard a pin drop while he was speaking for almost an hour. What he said was poignant; what he said was correct. What he said in the end was that he believes that Mr. Takhar has an obligation to resign. I cannot fault anything that he said, technically or correctly. He said it, and he said it well.

I listened to the leader of the third party, who spoke next. He spoke in a very energetic way. He made what I think were very strong comments. He said it forcefully and he said it well. What he said was different from what Mr. Takhar had to say. What he said was very different from what the leader of the official opposition had to say. What Mr. Hampton, the leader of the NDP, had to say was more in tune with previous comments that had been made by Mr. McGuinty prior to his becoming Premier, and there were many quotes. I agree with my colleague from Timmins—James Bay that I don't need to read those back. They are a part of history. Everyone knows that Mr. McGuinty, on this side of the House, spoke in very different terms than he is speaking on that side of the House. I leave that for the public. I leave that to whether you think that's right or wrong, but history will show that the statements quite clearly are very, very different.

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While I was in the chair, I thought about what I was going to say here today and I pondered what contribution I might make. I also gave some considerable thought to an amendment that I might make, an amendment that might be appropriate to more closely focus this debate on where I think it should go. But I'll tell you, even though I wracked my brain, and I'm sure even though members on both sides of the House have wracked their brains on what an amendment could properly do, to date, no one has made one. No one has made one because it is very difficult to make an amendment to the Integrity Commissioner's position. It is almost impossible to amend that the recommendation of a reprimand be somehow changed. The Integrity Commissioner can only make that recommendation. The Premier can only make the recommendation about who sits in his cabinet. This Legislature does not have the authority to expel a member who is duly elected. So I don't know what kind of amendment I could make. So unless someone has an amendment I could possibly make, here we are. Unless someone has an amendment, we are going to vote on the narrow issue of reprimanding a minister of the crown.

Now, what is a reprimand? We all use the word. We've all used it, I think, a hundred times or a thousand times in our life, but I wanted to be very cautious before standing up here today. I looked it up, of course, in the dictionary and there were six definitions. But the easiest

one to remember and the one that most closely follows what I think is intended here is a "sharp rebuke." That's what a reprimand is: a sharp rebuke. Our duty here is to sharply rebuke if we agree with the Integrity Commissioner about the actions of the Minister of Transportation.

Is he deserving of a sharp rebuke? I think so. As a matter of fact, he thinks so too. He has admitted in his poignant, eloquent and heartfelt statement that he was wrong and that he deserves to take the punishment of the reprimand.

We have to find, in order to back that up, that he did egregiously reckless behaviour. I don't think there's any doubt that he did. He admitted it. The Integrity Commissioner found it. The Premier has agreed it happened, and speaker after speaker has referred to the "egregiously reckless behaviour."

It is hard for me to believe that we will do anything else but reprimand him. What else can we do? We can reprimand him, and I have no doubt in my mind that at the end of the day he will be reprimanded. He will be reprimanded if only because there are 71 Liberals in the House who are bound and determined to reprimand him and, in the end, that will carry.

Now, I listened to the other debates. I listened to what other people had to say. What is being said here is what can be done, and that is our authority to agree with the Integrity Commissioner and to reprimand him. The other debates are what should be done; not what we can do, but what we should do. Those debates are that we should be forcing the Premier to ask for the resignation of the minister. Should this Legislature be saying that? I pondered that too. I pondered that and came to the conclusion last night sitting in the chair, last night thinking about it, and this morning when I was looking up some notes and trying to do the research—I wondered, should this Legislature be going beyond what we are required to do? Should we be taking the step beyond reprimanding a minister of the crown? Should we be asking the Premier to do something else? I came to the conclusion, having heard some excellent speeches, that we have no alternative but to do so.

I say that with sadness, because I know that in the end all that is likely to happen is that he will be rebuked. He has admitted he should be rebuked. But the question is, should we, as the Legislature, as a group of 103—now, I think, 100—individuals, be saying that we expect more? I think we should expect more.

I wanted to think a little bit about integrity, and of course, as you know, I always love to go back and look at what great people have talked about of integrity and what integrity meant to them and what definitions of "integrity" are. I found the finest quote. It's an old writer. It's going back to the 18th century. Samuel Johnson said it so brilliantly in a couple of lines. It's from his famous essay *Rasselas*, 1759. He said this: "Integrity without knowledge is weak and useless, and knowledge without integrity is dangerous and dreadful."

I want you to stop and think about that for a minute, because that is what is happening, I think, in this debate.

Did Mr. Takhar know what he was doing? We have no doubt that he is a man of integrity, and he claims he erred because he did not know what was required of him, although I have to tell you, I believe that he had an obligation, on the day he decided to become a minister of the crown and to sit on the executive committee, to acquaint himself with everything that was required. He had an obligation to divest himself, which he did. He had an obligation to know the laws that impacted upon him and his decisions. He had an obligation to his constituents, because he would not be able to be as available as if he were a backbencher. He had an obligation to his family. He had an obligation to his Premier. He had an obligation to his caucus and his colleagues. He had an obligation to this House.

He should have made himself fast aware of what was involved. His failure to do so—that's what it says: "Integrity without knowledge is weak and useless." Because he did not have the knowledge, because he did not find out what he needed to know, his integrity was weak and useless. Now that he has the knowledge, and I think he does, it is important that he show the integrity, because if he does not, it says, "Knowledge without integrity is dangerous and dreadful."

The question comes down to, what should he be doing? Not what we should be asking him to do, because I don't think we can ask him. I don't think we have the authority to ask him, nor do I think we should ask him. He is the man who has to do what is right, and if he does not do what is right, then he has to answer to the Premier, who must then force him to do what is right.

I think he had an obligation at the time this report was written to step aside. I watched in great sadness when the finance minister of this province stepped side. He stepped aside because he had no alternative. He stepped aside not because he did anything wrong. He stepped aside not because someone had found he was egregiously reckless. He stepped aside not because, I believe, in the end anyone will find that he did anything in his job that jeopardized in any way this Legislature, this government, this province of Ontario. He stepped aside because he's under investigation. He did what was right and what was honourable. He did what he did to protect this institution, the caucus of which he is a part, the government of which he was a minister. I think that was his responsibility, and so do all of us. One day—and I hope very soon—I want to see him move from that seat back to the seat he occupied, because when he is no longer under investigation, he is a man who deserves to move along the row; he is a man who can make a great contribution.

1720

But I also noted, when he moved there from the executive bench to the front row of a government bench, that the earth did not fall. Within five minutes of his resignation, there was a new finance minister. A few minutes after that, because of the juggle, there was a new Minister of Energy. The earth did not fall. There was a new Minister of the Environment. Bang, bang, bang—it all happened. Is the government weaker for that? I don't

think so. If you think you're weaker for that, I think you're making a mistake. What happened there was that the government was able to say, "We have lost a minister. It is regretful, but we can move on. We have other people who can pick up the pieces," and the people have picked up the pieces very well. I'm telling all of those who are afraid that, should this minister do the honourable thing and resign, the pieces can and will be picked up.

I know most of you. You know all of you probably better than I know you, but I know all of you too. There are people of great competence on the government back bench. There are people who can pick up that piece, be it for a week, a month or a year. There are people who can do that job. But you have to ask yourselves, what is this government gaining and what is this member gaining by remaining in that seat, by remaining in his portfolio, by remaining in the cabinet? I don't know. You'll have to ask yourselves that question because, as I said before, you will rally around and there will be at least 71 votes to vote for the Integrity Commissioner's report. If there are any other motions to do anything else, those will not pass; you know they will not pass and I know that certainly they will not pass. In the end, all that will remain is the government's action and the people's impression.

I remember, in the minute that's left, the first time I walked through that door to be sworn in. I remember looking at this Legislature. I remember its ornateness. I remember looking at the people who were in here. My heart was pounding even though I had been a politician for 15 years before, even though I had been on Toronto city council and the mayor of East York. My heart was pounding coming into a place with so much history. As you walk up and see the Sir John A. Macdonald portrait, the Fathers of Confederation, the statues, the names on the wall and all that this institution gives to the people of Ontario, you have to hold it in awe and you need to hold it in awe.

This is not about one man who made a mistake inadvertently or through thought; this is about an institution. It's about a government; it's about the way people look at the government. I am asking you to do what is right. I am asking you what is right for the thousands of wide-eyed children who walk in here every day to look at this building and to see government at work. I'm asking you to do it for the visitors who came here today from Russia and Ukraine, to do what is right and to make the government work. I'm asking that this institution that has been built up for 800 years under common law be allowed to work, and work well. If that means one man has to resign, then so be it.

Mr. Vic Dhillon (Brampton West–Mississauga): I'll be sharing my time with the member from Bramalea–Gore–Malton–Springdale.

It's my pleasure to speak on the report of the Integrity Commissioner which was issued on January 4, 2006. I read the report in its entirety. At that time and now, I believe that the Honourable Coulter Osborne made a

detailed and fair analysis of the allegations that were made by the Leader of the Opposition against the Minister of Transportation.

First of all, I want to state that I have known Harinder Takhar for a long time, well prior to him becoming elected and becoming the Minister of Transportation. He is an honourable man in every aspect of the word.

Now, getting back to the report by the Integrity Commissioner, the minister accepted the report's findings and addressed the very minor concerns that were raised. We all know the report dealt with three issues. The first issue was if the minister benefited by using his position or the knowledge gained from his position. The Integrity Commissioner found no merit whatsoever in the argument that the minister personally gained from his position as a cabinet minister.

The Integrity Commissioner also examined if the minister participated in the management of his business after being appointed minister. He found no evidence whatsoever that confirmed Minister Takhar participated in the management of his firms.

The last issue of contention was whether the relationship with Minister Takhar's trustee was arm's-length. In this issue there may have been some lack of judgment on the part of Minister Takhar. This was nothing intentional and the minister immediately began working with the Integrity Commissioner to correct the situation, a situation that has long since been corrected.

As I mentioned before, I have known Minister Takhar for a long, long time. He entered politics for the right reasons, which are to serve his community and the people of Ontario. Since becoming minister, there have been great accomplishments under his watch at the Ministry of Transportation. He delivered on the promise of giving two cents of the existing gas tax to municipalities to expand and improve public transit. Under his watch, we have seen high-occupancy vehicle lanes on Ontario's highways so that commuters spend less time on the road and more time with their families. He has begun measures to ease congestion at the border. The list goes on and on.

I'm proud of Minister Takhar and his accomplishments, and knowing him, he will continue to work on behalf of all of us.

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I am glad to share my time with the member for Brampton West–Mississauga. It's my pleasure to speak today regarding the Integrity Commissioner's report. I want to thank the Integrity Commissioner for this fair report.

I have known Mr. Takhar for the last 20 years, well before he became a member of the provincial Parliament for the riding of Mississauga Centre. Throughout all those 20 years, I have known him to be a man of impeccable integrity and an extremely hard-working and dedicated man in all his endeavours.

Like myself, Mr. Takhar came to Canada from India. Although our backgrounds prior to being elected as members of the provincial Parliament are different—

Minister Takhar was a businessman and I am a physician—we both entered politics for the same reasons. We became politicians to give back to our community and to contribute to Ontario in ways that would benefit Ontarians in the long run. So since being elected to office, I have worked with Mr. Takhar on many issues; and working together, we have been able to accomplish a great deal.

Under Minister Takhar's leadership, Bill 169, also known as the illegal taxi drivers bill, was passed. He was instrumental in delivering two cents of the existing gas tax to municipalities to expand and improve public transit, which benefited all Ontarians. He has launched numerous initiatives to make our roads and highways safe. But Mr. Takhar's activities are not just limited to his critical duties. Outside of our Legislature, he has been an ardent supporter of not just the South Asian community but all the various communities across Peel region. He has been involved with many community and sports events and he has been active in the United Way's fundraising drive. Although he is a busy man with many duties, he continues to give back to others and to contribute to this great province of ours.

Let me emphasize again that Mr. Takhar is a hard-working, dedicated man, one who commands respect from not just his friends but his colleagues as well. His demonstrated expertise in handling his ministry duties is appreciated by all who know and realize just how much he has done and accomplished while in his position. He would never knowingly do anything to violate the trust that his constituents and his colleagues have placed in him.

I echo the views of the honourable member from Brampton West–Mississauga. Mr. Takhar is a person who has worked very hard to come to this Legislature, and I support that he should continue to serve his constituents as he has done before.

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BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I rise pursuant to standing order 55 to give the Legislature the business of the House for next week.

On Monday, February 20, in the afternoon, government order number 9; and for the rest of the week, to be confirmed.

The Acting Speaker (Mr. Joseph N. Tascona): That seems clear. Thank you.

REPORT, INTEGRITY COMMISSIONER (continued)

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the member from Kitchener–Waterloo.

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I'm going to join the debate on the issue of the fact that the Integrity Commissioner, the highly respected Coulter

Osborne, did find that Minister Takhar did break the integrity act by assigning a political ally to manage his business assets in a blind trust.

I've been listening to some of the presentations that have been made in this House. I want to compliment those who have made speeches, beginning with my leader, John Tory, who I think made an excellent presentation and focused very much on standards, expectations and traditions of this House. After listening to the last two speakers, I would say that what we're debating is not the fact as to whether or not an individual is an honourable member or whether or not an individual has done a lot of work on behalf of their community and the province. Everybody in this House comes into this position well intended, wanting to make a difference in the lives of the people in their community and wanting to make a difference in the lives of the people in the province of Ontario.

I would also say that I just heard expressed the fact that what has happened are very minor concerns. However, I would like to remind this House, as a former cabinet minister, who had the privilege of serving in four different positions, we have to remember that when we are entrusted with that responsibility, we also must have knowledge of the Members' Integrity Act. That integrity act is given to us. There is an expectation that we will read it, we will understand it, we will sign it, we will have complete knowledge of it. So, yes, we can all say that we didn't know or we didn't understand, but the reality is, there is no excuse. When you become a cabinet minister, you are expected to have full knowledge of the implications. You can't say, "I didn't know."

My colleagues who were asked to step down, and did, and resigned, were as equally honourable members as the individual in question here. Ministers Runciman and Cunningham, Mr. Leach and Mr. Wilson are people who have served this House for many years. Collectively, they accomplished many things in their capacity as ministers of the crown. So this is not about being a good person, being a nice person, being a person who wants to do good for other people. This is about fully accepting the consequences of knowing what is in the integrity act and then following through when the act is breached, which Coulter Osborne, the Integrity Commissioner, says it was.

I want to remind you what it says in the Members' Integrity Act in the preamble:

"3. Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members.

"4. Members are expected to act with integrity and impartiality that will bear the closest scrutiny."

I would remind the members of this House that this has nothing to do with the personality of any individual or whether or not they've accomplished great things on behalf of their constituents or people in Ontario. This is about, when you assume the office of a cabinet minister,

fully understanding your role, your responsibilities and the integrity act, and if you don't, then you had better make sure that someone explains to you what this means, because what we have here is a situation all about standards.

In this instance, we have learned very quickly that the Premier of this province has a double standard, and that has been exhibited certainly in the last few months. In fact, yesterday my leader asked the Premier to explain what his standards are for his cabinet ministers because they're certainly very different than the standards he held when he was in opposition. It seems that the McGuinty cabinet ministers, as my leader said yesterday, can get away with just about anything before he would ask them to step aside. He goes on to say that this was not Dalton McGuinty's standard while in opposition. Now no one knows what a minister has to do in order to lose their job in his government.

So we continue to ask Mr. McGuinty, the Premier of this province, what his standards are, because in this particular instance, this individual, Minister Takhar, has broken the integrity act. He is the first cabinet minister to ever be reprimanded by the Integrity Commissioner, and I want to emphasize that: He is the first cabinet minister to ever be reprimanded by the Integrity Commissioner, and yet he did not resign, as many of my colleagues did, and he was not asked to do so by the Premier of this province. People are left asking, "What does it take? What are the Premier's standards, or are there none?"

We don't know what the Premier's standards are, but I can tell you, if I go back in Hansard, there are quotes here that speak to what Premier Dalton McGuinty thought were the standards. On June 25, 1997, he talked about how, "The Integrity Commissioner has in fact made the finding that this minister is in breach of the law, that he has contravened the act that governs our behaviour in this Legislature ..." and that if that was the case, "then you have no choice, Premier, but to stand up once again, tell us that you are going to ask for the resignation of Minister Al Leach, of Minister Cunningham and of Minister Runciman, because they have all clearly, in keeping with the words offered by the Minister of Health on numerous occasions in this House, broken the law. You have no choice."

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On another day, June 26, 1997, he went on: "'You have no choice but to stand up and ask for the resignations of Al Leach, Bob Runciman and Dianne Cunningham,' Liberal Leader Dalton McGuinty shouted across the floor of the House. 'They have broken the law, and therefore, you have no choice.'"

The Premier of this province had very different standards—in fact, you could say he had double standards—when he was in opposition compared to where he is today. Also, we all have the Minister of Government Services, Gerry Phillips, saying on June 26, 1997: "You broke the integrity act; you broke the law. My question is very simple: Knowing all of that, why did you not tender your resignation?"

We've got Gerard Kennedy saying on June 26: "This is an integrity issue, and I don't think you can weasel on an integrity issue. This cabinet has been acting in an improper fashion, and the Premier is avoiding the issue, hiding behind very flimsy protection."

The record goes on and on. It quotes this Premier; it quotes other cabinet ministers. Certainly, they did believe, when they were in opposition, that situations such as the situation that Minister Takhar found himself in did warrant the resignation of the minister, and yet, in this particular instance, it did not happen.

The concern that I have is for this institution, and also for the public, who obviously have to wonder about what they might see as the declining standards in this House. What expectations can they have in the future?

If you take a look at what the press wrote about this particular article, I think it becomes clear that there is widespread belief and support for the fact that the action that is appropriate was not taken.

Allan Findlay, in the *Toronto Sun* on January 26, said: "Takhar became the first Ontario politician to ever draw an Integrity Commissioner's call for a formal reprimand." That I quote in order to emphasize the seriousness of what has happened.

Christina Blizzard writes, on January 5 of this year, and asks the question: "So what does it take to turf a Liberal minister accused of wrongdoing out of cabinet? Former Finance Minister Greg Sorbara hung in despite calls for his resignation until he was embarrassed to discover he'd been named in RCMP search warrants in a probe into Royal Technologies, a company of which he was once a director..."

"Now we have Premier Dalton McGuinty and his Transportation Minister Harinder Takhar hanging tough, even though Integrity Commissioner Coulter Osborne released a scathing report about Takhar's visit to a company he owns, Chalmers Group."

She goes on to say: "As a cabinet minister, Takhar is supposed to hold the company in a blind trust and not be involved in its day-to-day operation."

"Not just that, it turned out that the company's CFO, Joseph Jeyanayagam, was Takhar's trustee as well as treasurer of his Mississauga Centre riding association. And that, according to Osborne, is a no-no."

She goes on to talk about the meeting that was held in the offices of the Chalmers Group that the minister had with his wife and the person who was responsible for his association. She goes on to say that after the meeting strange things happened. "Osborne" in his ruling said "Takhar was 'egregiously reckless in participating in the April 29 meeting at Chalmers. He virtually invited a complaint by his conduct.'..."

"Osborne has issued a reprimand and, shockingly, McGuinty and Takhar seem to think that's that. McGuinty put out a news release thanking Osborne for 'clarifying the rules.'"

"Clarifying? Osborne came close to saying he didn't believe Takhar's story, that's what's clear."

“Osborne cannot force Takhar to quit cabinet. Only McGuinty can do that. And clearly that is the only path of action he can take now if he wants to retain the credibility of his government.

“He can’t keep a minister in cabinet who has breached the integrity rules. He should forget this holier-than-thou claptrap and fire Takhar.

“How convenient that the Liberals scheduled their hastily thrown together, window-dressing, hot-air crime gabfest for the same day when Osborne released his report.”

It’s very clear that, according to the decision that was handed down by the Integrity Commissioner, a rule has been broken.

Michael Prue made an interesting statement in the column written by Christina Blizzard when he said: “I don’t see how he can show up in the Legislature with any credibility from this time forward. Frankly”—he goes on to say, interestingly enough—“the Tories had much higher standards of integrity.”

I think that’s important, because my colleagues did step down. My colleagues were proactive in stepping down. My colleagues lived up to the Members’ Integrity Act. That’s what it’s all about. It’s not about being a good person, because I would like to think all the members of this House, the 100 of us who are currently here, are good members, that we became MPPs in order that we could make improvements to health, to education, to crime, to the environment, to make sure that this province had a stable supply of energy. We all came here with the best of intentions. But we also have to remember that when we become MPPs there are certain obligations that are put upon us. It is a tremendous honour to be elected as an MPP, but it is also a tremendous responsibility. Then, when you become a cabinet minister, it is again a tremendous honour, but there is even more responsibility. There is absolutely never, ever—even if it

might be so—any excuse for not living up to the Members’ Integrity Act.

I want to stress again what it says in the preamble, paragraph 3: “Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly’s dignity and justifies the respect in which society holds the assembly and its members”—preamble, paragraph 3.

Preamble, paragraph 4: “Members are expected to act with integrity and impartiality that will bear the closest scrutiny.”

I would remind the Premier of this province that he and his colleagues in cabinet were asked to read this and to live up to this obligation, and they are not doing so. The standards that this Premier tolerates are very different from the standards that he talked about that were necessary in order to live up to the integrity act when he was in opposition.

This is not about any individual; this is simply about a Premier who has double standards or, as some might say, no standards whatsoever. I would hope that at the end of this debate, some of the members in government will carefully consider this particular situation. I hope that they will be reminded of the fact that the individual in question did breach the Member’s Integrity Act; I hope they will remember that it is unprecedented for an Ontario cabinet minister to retain his or her position after being found in breach of the Member’s Integrity Act; and I hope that they will encourage their leader in the future to live up to the obligations of the Members’ Integrity Act.

The Acting Speaker: Seeing that it’s approximately 6 p.m., this House stands adjourned until 1:30 p.m. on Monday, February 20, 2006.

The House adjourned at 1752.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Michael A. Brown

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Halton	Chudleigh, Ted (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
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Brant	Levac, Dave (L)	Huron-Bruce	Mitchell, Carol (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement t	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
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Durham	O'Toole, John (PC)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London-Fanshawe	Ramal, Khalil (L)
Elgin-Middlesex-London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Markham	Wong, Tony C. (L)
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Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Energy / ministre de l'Énergie	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke-Lakeshore	Brotten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ottawa West–Nepean / Ottawa-Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa–Orléans	McNeely, Phil (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
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Sarnia–Lambton	Di Cocco, Caroline (L)	York West / York-Ouest	Sergio, Mario (L)
Sault Ste. Marie	Oraziotti, David (L)	Nepean–Carleton	Vacant
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
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St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Garfield Dunlop, Andrea Horwath,
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Règlements et projets de loi d'intérêt privé**

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Kuldip Kular, Gerry Martiniuk, Bill Murdoch,
Khalil Ramal, Maria Van Bommel, Tony C. Wong
Clerk / Greffière: Tonia Grannum

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Peter Fonseca, Jeff Leal, Rosario Marchese,
Mario G. Racco, Khalil Ramal, Kathleen O. Wynne
Clerk / Greffière: Anne Stokes

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Kuldip Kular, Norm Miller, Richard Patten,
Michael Prue, Monique M. Smith,
Norman W. Sterling, Kathleen O. Wynne
Clerk / Greffière: Anne Stokes

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Second Session, 38th Parliament

Assemblée législative de l'Ontario

Deuxième session, 38^e législature

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Journal des débats (Hansard)

Monday 20 February 2006

Lundi 20 février 2006

Speaker
Honourable Michael A. Brown

Clerk
Claude L. DesRosiers

Président
L'honorable Michael A. Brown

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 20 février 2006

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CONSERVATION OFFICERS

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I have a question: Is this government providing the resources to protect our resources in Ontario? This government inherited Ontario's Living Legacy, the designation of signature sites, the right to hunt and fish, a rejuvenated Fish and Wildlife Heritage Commission, and yet now we hear so little. We don't hear about the Great Lakes Heritage Coast, the Nipigon Basin, the Kawartha Highlands or the St. Williams crown preserve. Funding for programs like Ontario's Living Legacy has dried up under this government, funding that sat at \$4.8 million just two years ago. What about funding for enforcement and support of the good work of our conservation officers? Are those expensive trucks sitting in the lots with empty gas tanks?

Greg Farrant, of the Federation of Anglers and Hunters, made these concerns clear to the finance committee in Cornwall, stating, "Because of the lack of operating dollars, conservation officers are no longer able to go on routine patrols and carry out routine assessments. They are to respond only on complaint. So quite often you'll find them sitting in the office instead of being in their vehicles. This is because of fuel costs...."

So I'm concerned: Is this government backing up our fish and wildlife officers? Enforcement can be very lonely, dangerous work. At minimum, they need gas for their trucks.

TRANSPORTATION INFRASTRUCTURE

Mrs. Linda Jeffrey (Brampton Centre): I rise today to speak about the progress on the Ministry of Transportation's project to extend Highway 410. In 2004 the ministry, the region of Peel and the city of Brampton partnered to secure land parcels which would allow completion of phase 1 of the highway extension.

Highway 410 is the corridor of economic growth in Brampton. It is essential that we make transportation improvements in Brampton to accommodate the growing population. Our government has invested the money and is keeping its promise of forging ahead with this project. We are now in phase 2, having acquired the land and

completed the design, and will soon be issuing a tender for the plan.

I'm pleased to be part of a government that recognizes the need to invest in transportation infrastructure. The ministry is continuing to work with its municipal partners, stakeholders and the public on the remaining phases of the extension. I'm proud of the progress our government has made and look forward to seeing the highway and driving on it. I believe we are on our way to completing Highway 410 in Brampton.

CHILDREN'S TREATMENT CENTRES

Mrs. Elizabeth Witmer (Kitchener–Waterloo): There are 9,000 children waiting for necessary therapy and health services from children's treatment centres in this province. This is totally unacceptable.

About 1,053 of these children are served by KidsAbility in Waterloo and Wellington. These include children who cannot walk or talk properly, premature babies who need therapy to survive and thrive, disabled preschoolers and children with complex medical syndromes.

These children are not being treated equitably or fairly as they wait two to three times longer in the province than many children elsewhere; in fact, it is a wait of nine months for necessary services.

These unfair wait times are penalizing our young children with disabilities, jeopardizing their future in school and life. It is placing an unfair and expensive burden on our schools and undue stress on already worn-down families.

Research from McCain and Mustard tells us that intervention before a child enters school minimizes the health, learning and social problems they would have later in their childhood, and reduces education and health costs. It also shows that we must give them this early intervention in order that they can achieve their full potential.

Despite this research, the government is not living up to the government policy on fairness and equitable access to services. So today, I urge the government to provide \$2.2 million in its budget to eliminate the wait times.

HEALTH CARE

Ms. Shelley Martel (Nickel Belt): Last Monday the emergency department at the Sudbury Regional Hospital faced another crisis as patients waited 24 hours to be admitted to a hospital bed. The problem: 55 alternative level of care patients were still in hospital beds, unable to

be transferred to the community because there are no beds and services available for them.

This sorry saga has plagued the community for 18 months now. In October 2004, the Ministry of Health applied a category 1A crisis designation, forcing alternative-level-of-care patients to long-term-care homes on Manitoulin Island and Espanola. City council asked the Minister of Health to open 30 interim long-term-care beds at Pioneer Manor. The minister approved only 10.

Late last summer, the emergency department was in chaos again. Surgeries were cancelled due to a lack of available hospital beds. So in October 2005, the ministry added 15 beds at Pioneer Manor—still short of the original request made by city council. This didn't solve the problem, so the ministry extended its crisis designation to now send frail, elderly seniors to Parry Sound.

Seniors groups went public again, the city again requested more interim beds at Pioneer Manor and finally, in January 2006, 20 more beds were announced. They are still not open. A pre-occupancy review of the beds is required. Hopefully, this will occur by March.

So the crisis continues, with seniors staying in the hospital because there is nowhere for them to go in the community, the ER getting backed up since there are no hospital beds available and surgeries being put at risk with no beds for patients to recover in. What a mess.

To the minister: Get the occupancy review done, get alternative level of care patients into appropriate settings and get the pressure off.

1340

BLACK HISTORY MONTH

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): February marks Black History Month, a time when we reflect upon and celebrate the great achievements and contributions African Canadians have made to our province and to our country.

Since Mathieu Da Costa, an African interpreter, took his first steps onto the shores of a yet-to-be-born nation, African Canadians have contributed to our rich history and heritage. Black Canadians hail from all corners of the globe. Indeed, we are a nation consisting of all the ethnic, linguistic and cultural groups of the world. We take great pride in that unique diversity.

This was not always so. There was a time in our history when those of African descent were discriminated against; when most were forced to work in poorly paid jobs. It has been a long struggle towards equality, and there is still work to be done.

Still, we can take great pride in people like the late Garth Taylor, an ophthalmologist and humanitarian from my riding of Stormont–Dundas–Charlottenburgh, and the Right Honourable Michaëlle Jean, who graces us with her presence here today.

Black Canadians, throughout the history of our nation, have played an important role not just in creating a distinct Canadian culture but in forming our essential Canadian values: the values of equality, understanding and appreciation of differences. We must continue to build on this foundation, to promote our ideals of diver-

sity and community both here and abroad. We must never forget that a functional multicultural society depends on understanding, respect and co-operation.

PROGRESSIVE CONSERVATIVE PARTY

Mr. Robert W. Runciman (Leeds–Grenville): I rise today to congratulate and thank over 1,000 people from around the province who, this weekend, attended the Ontario Progressive Conservative policy conference in Niagara Falls and helped begin the process of building Ontario's new foundations. The conference marked the mid-point in our party's policy process and focused on listening and reaching out to all Ontarians, unlike the upcoming Liberal conference—a closed-door affair, we hear.

On the weekend, we heard ideas about how to restore our economy after two and a half years of Liberal mismanagement and return some of the 80,000 manufacturing jobs lost so far under the Liberal watch, and strategies to keep the lights on in Ontario, something the Liberals clearly have no plan for.

This weekend was a demonstration that Ontario Progressive Conservatives under John Tory's leadership are committed to listening to the grassroots of our party and everyday Ontarians. Unlike the current government, we reaffirmed that we will do what we say we will do when we form the government.

Once again, I would like to thank the over 1,000 people who travelled to Niagara Falls from across this great province and engaged in a process that will help the Progressive Conservative Party build a new foundation for the province of Ontario.

MYLES McLELLAN

Mr. Pat Hoy (Chatham–Kent Essex): It is my great privilege to speak about the life of a brave, exceptional little boy: Myles McLellan. Myles attended Our Lady of Fatima school in Chatham. He celebrated his 13th birthday on February 9 and passed away just a few days later.

He had been battling brain cancer since he was nine years old, but instead of giving up, he used his illness as an opportunity to give to others. He raised awareness about childhood cancer and raised funds to help find a cure. The foundation named after him, Myles' Miracle Mission, continues to accept donations to help cancer patients and their families in the Chatham area. I invite my fellow members to consider making a donation in his memory.

On behalf of Premier Dalton McGuinty and all members of the Legislature, we send our thoughts and prayers to Myles' parents, Susan and Wayne, their family, friends and Myles' classmates.

The poet Ralph Waldo Emerson once wrote that it is not in the length of life but the depth of life that we find our meaning and purpose. Myles McLellan did not live a long life but he lived a deep life, and it is my sincerest hope that together we will take up his fight against childhood cancer and that his dream of a cure one day soon will be realized.

OMERS PENSION FUND

Mr. David Zimmer (Willowdale): I'd like to speak about an issue that is of great concern to the people of Ontario. Bill 206, if passed, would give control of the OMERS pension plan to the people who pay into it and benefit from it.

This is something that CUPE Ontario, along with many other OMERS stakeholders, has been asking for for some time. But now, some members of CUPE Ontario are threatening an illegal strike if Bill 206 is passed. These people have said they will ignore their responsibility to the public and walk off the job.

After extensive consultation, two rounds of committee hearings and a number of amendments, they have decided that they are willing to break the law in an attempt to force the government to give them what they want. They have threatened, among other things, to keep kids out of school, leave roads covered with snow and ignore hydro systems.

As the Premier said in the Legislature last Thursday, threats of an illegal strike have overshadowed the substantive discussions on the legislation. Fortunately, cooler heads have prevailed for thousands of workers across Ontario.

I would like to applaud those CUPE locals that refuse to participate in an illegal strike. I would also like to encourage other locals to stop and think about what an illegal strike means and ask them to join their colleagues in putting the Ontario public service first.

PROGRESSIVE CONSERVATIVE PARTY

Mr. Peter Fonseca (Mississauga East): This government knows that no one is stronger than all of us. That is why our vision for Ontario is one where every citizen has access to high-quality health care regardless of their ability to pay. With every new family doctor trained, with every new nurse hired, this government is defying the critics who would rather see us concede the system to the private sector.

Our vision for Ontario is one where every child has the opportunity to learn and grow. We've worked hard to bring peace to our classrooms, because we know that high-quality public education is the best way to ensure our prosperity.

I was saddened to see the Conservatives spend the weekend plotting how to dismantle two of our most precious public institutions. While Liberals are reinvesting in universal health care, the Tories plan to cut health care spending by \$2.4 billion and open the doors to a two-tier system. While Liberals are doing everything possible to revitalize public education, the Tories plan to siphon taxpayer dollars out of the public school system, starving it of the resources it needs to survive.

It's clear that the Tories' renewed commitment to the slash and burn of our province has only strengthened this government's resolve to forge ahead and invest in an Ontario where everyone, regardless of their income, gets taken care of.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
SOCIAL POLICY

Mr. Khalil Ramal (London-Fanshawe): I beg leave to present a report from the standing committee on social policy and move its adoption.

I'm more than happy to give it to Mark, to give to the Clerk. Thank you, Mark.

The Clerk-at-the-Table (Ms. Lisa Freedman): Mr. Ramal from the standing committee on social policy presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill, as amended:

Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts / Projet de loi 210, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications complémentaires à d'autres lois.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

MORTGAGE BROKERAGES, LENDERS
AND ADMINISTRATORS ACT, 2006LOI DE 2006 SUR LES MAISONS DE
COURTAGE D'HYPOTHÈQUES, LES
PRÊTEURS HYPOTHÉCAIRES ET LES
ADMINISTRATEURS D'HYPOTHÈQUES

Mr. Duncan moved first reading of the following bill:

Bill 65, An Act respecting mortgage brokerages, lenders and administrators / Projet de loi 65, Loi concernant les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The minister may have a brief statement.

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): Ministerial statements.

1350

GENERAL BROCK
PARKWAY ACT, 2006LOI DE 2006 SUR
LA PROMENADE GÉNÉRAL-BROCK

Mr. Craitor moved first reading of the following bill:

Bill 66, An Act to name Highway 405 the General Brock Parkway / Projet de loi 66, Loi nommant l'autoroute 405 promenade Général-Brock.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may have a brief statement.

Mr. Kim Craiton (Niagara Falls): General Sir Isaac Brock died at the Battle of Queenston Heights while leading a charge against invading American forces in the War of 1812. A monument to his courage dominates the Niagara Escarpment just along the side of Highway 405. He is buried there. Highway 405 passes by this monument, and hundreds of thousands of visitors who travel this area are not aware of the fact that a major historic site is located there.

Other highways are named after historic figures, such as Ontario's first highway, the Queen Elizabeth Way. Highway 401 bears the name Macdonald-Cartier Freeway, after two fathers of Confederation and, of course, Hamilton named the Linc after a friend of everyone in this assembly, former Lieutenant Governor Lincoln M. Alexander. So it is appropriate for Ontario to name a highway along Queenston Heights in honour of a man who died heroically for all of our country.

VISITORS

The Speaker (Hon. Michael A. Brown): The minister on a point of order.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I know you're going to say it's not a point of order, but I'd just like to take the opportunity to introduce members of Youth Justice Ontario, who are in the public gallery today. These people run facilities and programs for youth in secure, open, and community supervision who have been in conflict with the law.

The Speaker: Thank you, and are you right, I am going to say it's not a point of order.

On a point of order, the member for Oak Ridges.

Mr. Frank Klees (Oak Ridges): I would like to recognize two special guests in the gallery today: Mr. Don MacKinlay, who is a teacher at Richmond Hill High School, and Mr. Christian Scenna, who is a recipient of the Lieutenant Governor's award for volunteers. They were special guests today at the reception with the Governor General. Welcome to Queen's Park.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): At the request of my friends in the New Democratic Party—

Interjection.

Hon. Mr. Bradley: —and my friend Bill Murdoch as well, I have the following motion.

Mr. Peter Kormos (Niagara Centre): No.

Hon. Mr. Bradley: Don't say no yet. You don't know what it is.

I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Mon-

day, February 20, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1355 to 1400.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne
Barrett, Toby
Bartolucci, Rick
Berardinetti, Lorenzo
Bradley, James J.
Brotan, Laurel C.
Brownell, Jim
Bryant, Michael
Cansfield, Donna H.
Chambers, Mary Anne V.
Chudleigh, Ted
Colle, Mike
Craiton, Kim
Crozier, Bruce
Delaney, Bob
Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel

Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoy, Pat
Jackson, Cameron
Jeffrey, Linda
Klees, Frank
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Marsales, Judy
Martiniuk, Gerry
Matthews, Deborah
Mauro, Bill
Miller, Norm
Milloy, John

Munro, Julia
O'Toole, John
Oraziotti, David
Ouellette, Jerry J.
Peters, Steve
Phillips, Gerry
Racco, Mario G.
Ramal, Khalil
Runciman, Robert W.
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Smitherman, George
Tascona, Joseph N.
Watson, Jim
Witmer, Elizabeth
Wynne, Kathleen O.
Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Horwath, Andrea
Kormos, Peter

Marchese, Rosario
Martel, Shelley
Murdoch, Bill

Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 7.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

MORTGAGE BROKERS

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): It is my honour to rise and introduce an important piece of legislation today, the proposed new Mortgage Brokerages, Lenders and Administrators Act.

Obtaining a mortgage to buy a home is one of the most important financial decisions consumers can make. The McGuinty government recognizes this. That is why we are proposing to replace the outdated Mortgage Brokers Act with new legislation that improves consumer protection, enhances and modernizes financial regulation, and encourages greater competition and choice for consumers. It's an important part of our government's plan to improve Ontario's economic advantage and support a new generation of economic growth through modernized

financial services regulation, and it's an initiative whose time has come.

I'd like to acknowledge some guests in the House today, representatives from three organizations who participated in the consultations on this new legislation. Please welcome Mr. Ron Swift, president, and Mr. Jim Murphy, senior director, of the Canadian Institute of Mortgage Brokers and Lenders; Mr. Jeff Atlin, director of the Independent Mortgage Brokers Association; and from the Consumers Council of Canada, Ms. Eleanor Friedland, vice-president. I want to thank all of them for joining us today and, indeed, for their support of the bill. I've referred them to the opposition House leaders to ensure that this bill gets speedy time coverage and debate.

The existing act dates from the early 1970s. In the three decades that have passed since that act was legislated, the financial services marketplace has changed considerably. Ontario consumers are enjoying many new and innovative mortgage products and services. Mortgage brokers, ranging from large, sophisticated operations to single owner/operator firms, play an increasingly important role in helping consumers with their borrowing needs and in helping lenders to place their funds. More than one home buyer in four relies on the services of a mortgage broker. I think it's safe to say that when the current act was being drawn up decades ago, nobody could have foreseen the evolution of financial services in Ontario.

Consumers, lenders and the mortgage brokering industry support an overhaul of the current Mortgage Brokers Act. They recognize that a sound regulatory climate is critical to ensuring the continued confidence of borrowers and lenders, which is necessary to make markets work.

Before I go into the details of the proposed act, I'd like to provide a bit of background outlining how we got from the decision to do something about the act to where we are today. The government has undergone extensive consultation with the community. A consultation paper and subsequently a consultation draft of the proposed act were released for public comment. The Ministry of Finance also hosted a technical briefing of stakeholders, and my colleague the Honourable Mike Colle, then parliamentary assistant, chaired a round table. Some 50 written submissions on the consultation draft were received. The proposed Mortgage Brokerages, Lenders and Administrators Act, 2006 was developed out of this extensive public consultation and has the support of stakeholders.

I'd like to thank former Minister Greg Sorbara, Minister Colle, and officials at finance and the Financial Services Commission of Ontario for all their hard in getting us to this point.

The transparent process by which we have prepared this legislation will help ensure that it works for the people, businesses and economy of our great province. We are delivering on our 2004 and 2005 budget commitments to build a strong economy in a culture of transparency and accountability.

Key benefits that would result from implementing the new act include improved consumer protection, streamlined regulatory requirements, strengthened investor protection and cost-effective regulation. I'd like to briefly touch on these points now.

The proposed Mortgage Brokerages, Lenders and Administrators Act would, first and foremost, improve protection for the growing number of Ontarians who use the services of mortgage brokers. This legislation would improve accountability by all industry participants to ensure consumers are adequately protected.

First off, all industry participants involved in dealing, lending or trading in mortgages will need to meet education and suitability requirements, and be licensed by the Financial Services Commission of Ontario.

Secondly, brokerages will be responsible for the actions of their brokers and agents. Each brokerage will be required to have a principal broker, and it is intended that the principal broker will oversee conduct and act as the chief compliance officer for the organization.

In addition, the new act proposes a separate licence for those who administer mortgages, which involves handling investor funds. We are aware that some exemptions from licensing will need to be made and we've made them accordingly or will do so in regulation.

And modern enforcement provisions would provide appropriate measures for FSCO to address particular infractions of the act. Included are new cease-and-desist powers and the ability to levy administrative penalties.

Another feature of our proposed legislation is the elimination of current foreign ownership restrictions, which we heard support for during the consultations. Removing the restriction on foreign ownership would encourage greater competition and innovation, improve service and provide more options for consumers.

Before concluding my remarks, I'd like to mention that this new act does not signal the end of our commitment to updating regulation of the mortgage brokering industry. There is a comprehensive review currently under way by FSCO of education requirements, and we continue to consult with industry and consumer stakeholders on the regulations.

These are just some of the highlights of our proposed Mortgage Brokerages, Lenders and Administrators Act. Consumers and the industry fully support the new act and have been thoroughly engaged every step of the way in developing this legislation. I'm very proud of the legislation that we are putting forward today.

I appreciate the support we've had, and hope we'll continue to have, from members as we move ahead. I look forward to debate on this very important bill.

1410

ONTARIO HERITAGE WEEK
SEMAINE DU PATRIMOINE
DE L'ONTARIO

Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs): It is

with great pride and pleasure that I stand before this Legislature today to encourage both members of this House and the people of Ontario to participate in the province-wide annual celebration known as Heritage Day.

The Heritage Canada Foundation designated the third Monday in February as Heritage Day back in 1973. In 1985, Ontario designated the third week in February as Ontario Heritage Week. Today, National Heritage Day kicks off our own provincial week of celebration. This year's theme focuses on our cultural heritage places.

Earlier today, I attended the Ontario Heritage Trust launch of Ontario Heritage Week at the Elgin and Winter Garden Theatre Centre. The event was attended by heritage stakeholders of every description. That's because heritage matters to people of Ontario.

Le secteur du patrimoine en Ontario a connu une excellente année. L'adoption du projet de loi 60 en avril 2005 a permis de placer l'avenir de nos ressources patrimoniales provinciales entre les mains des Ontariennes et des Ontariens. C'est tout à fait normal, parce que les Ontariennes et les Ontariens savent que le patrimoine est important et qu'il contribue à améliorer notre qualité de vie et à favoriser la prospérité économique de la province.

This morning at the Heritage Week launch, I took the opportunity to unveil the Ontario heritage tool kit. The tool kit contains four guides to help municipalities implement the new act and create successful heritage conservation programs. The tool kit is intended to support the public and local government in setting up an effective municipal heritage committee, researching and evaluating cultural heritage property and understanding the different processes to designate individual property and heritage conservation districts.

Today I also unveiled the first of a series of information sheets on cultural heritage and archaeology policies of the provincial policy statement under the Planning Act. All publications contained in the Ontario heritage tool kit are also available at the Ministry of Culture's website.

La nouvelle Loi sur le patrimoine de l'Ontario, qui est une loi plus musclée, fait des municipalités ontariennes des leaders. La trousse de publications inclut des guides essentiels et des cartes qui aideront les municipalités à fixer leurs objectifs en matière de conservation du patrimoine. Cette trousse n'aurait pas vu le jour sans la contribution inestimable de nombreux intervenants dévoués oeuvrant dans le secteur du patrimoine. La publication de cette trousse aujourd'hui témoigne de façon tangible de l'engagement pris par mon ministère au plan de l'habilitation du secteur du patrimoine et du soutien qui lui est accordé dans le cadre de ses travaux.

I would like to take this opportunity to commend the Ontario Heritage Trust and its chair, the Honourable Lincoln Alexander, for its fine work in leading this year's Ontario heritage celebrations. Heritage Week is also a good time to thank the many local heritage organizations as well as the hundreds of dedicated volunteers across the

province who give their time and energy all year long to help preserve and protect Ontario's heritage.

Happy Heritage Week. Bonne Semaine du patrimoine.

HEATHER CROWE

Hon. Jim Watson (Minister of Health Promotion): I rise to pay tribute to a courageous woman who is an inspiration in the fight to protect workers from the ravages of second-hand smoke in the workplace and in enclosed public places.

The fatal consequences of prolonged exposure to second-hand smoke have been well documented. Heather Crowe is an Ottawa-area waitress who worked in a series of smoke-filled restaurants for over 40 years, and Heather in fact never smoked a day in her life. In 2002, she was diagnosed with lung cancer from second-hand smoke in the workplace. Since her diagnosis, Heather has become a tireless advocate to ban smoking in the workplace and in public places.

On a pu la voir dans les messages d'intérêt public produits par la Fondation des maladies du coeur de l'Ontario et par Santé Canada visant à sensibiliser le public sur les dangers de la fumée secondaire. Madame Crowe a parcouru cette province, et toutes les régions du pays, poussée par un seul but : faire modifier les lois de telle sorte que d'autres travailleurs ne subissent pas le même sort qu'elle.

In April 2005, Heather Crowe appeared before the standing committee on health and social service policy during the public hearings for Bill 164, the Smoke-Free Ontario Act. Heather told the committee, "I'm hoping that you will understand that I'm not asking smokers to give up smoking; I'm simply asking them to step outside to save a life and make a difference in our workplace so we can at least be living. Workers shouldn't go to work to die."

The McGuinty government heard people like Heather Crowe and we acted to protect the health of Ontarians by introducing—and I give credit to my colleague the Minister of Health, the Honourable George Smitherman—the most comprehensive anti-smoking legislation in the province's history, which will come into effect on May 31, 2006.

It's with great sadness that I report to you that Heather Crowe's cancer is no longer in remission, yet Heather continues to fight her illness with courage and determination. She also continues to fight to protect workers and the public at large from the harmful effects of second-hand smoke.

Il y a un grand nombre de personnes et d'organisations partout en Ontario qui ont fait, à l'image de madame Crowe, d'énormes contributions aux efforts de lutte contre le tabagisme.

On behalf of the government of Ontario, last December we created the Heather Crowe Award to acknowledge the efforts of individuals and organizations that promote smoke-free initiatives in their communities. The award is for residents like the citizen who spearheaded

the development of a local bylaw to ban smoking in public places, or a former smoker who visits schools to talk to young people about the dangers of tobacco use, or a young woman who advocates against teens smoking.

On December 16, Premier McGuinty and I had the distinct honour and privilege of visiting Heather Crowe's nursing home in Ottawa and presenting her with the very first award in her name.

I've since presented the Heather Crowe Award to Sergei Sawchyn, the original owner of Smokeless Joe, a bar located in the heart of the entertainment district of Toronto. A decade ago, long before any city bylaw, Sergei made his bar 100% smoke-free, an original and courageous example that exemplifies what the Heather Crowe Award is all about.

In Sault Ste. Marie, I recently joined MPP David Oraziotti in presenting the Schools Without Borders Youth Smoke-Free Committee with the Heather Crowe Award. This youth committee played an important part during the city council debate on a smoke-free bylaw, launching a targeted campaign declaring their right to live and work in a smoke-free environment. The student committee mobilized 16 schools to participate in the campaign, which saw 1,511 paper hands signed by youth in support of a smoke-free bylaw.

I should also commend the Sault Ste. Marie hospital. It so happens that just when I was there and I walked into their board meeting to meet with them, they had finished passing a new regulation that requires individuals to smoke completely off the property. So I commend them and other hospitals, such as CHEO in my hometown, the Ottawa hospital.

In Thunder Bay, I met Jim Morris and Simon Hoad, two residents who first began lobbying Thunder Bay city council in the 1980s to ban smoking in restaurants and bars, literally decades before most others imagined a smoke-free Ontario.

Finally, I want to commend the Westin hotel chain, which was the first private company to eliminate smoking in all their hotels across North America on January 1, 2006. I was joined by my colleague the member for Ottawa-Vanier to present John Jarvis, an innovative individual who is the general manager of the Westin in Ottawa, for bringing in this very worthwhile new regulation that I believe is going to help business, not hurt business.

Je suis fier d'annoncer aux membres de l'Assemblée que ce gouvernement a reçu à ce jour près de 100 nominations pour le prix Heather Crowe.

We've received over 100 nominations for the Heather Crowe Award. I am privileged personally to know Heather. I got to know her when she worked in one of those restaurants that did not have a very progressive smoking policy. Heather Crowe Award nominations will be accepted through MPPs' offices until May 31, which is the day the smoke-free Ontario legislation comes into effect.

I thank all of those members from both sides of the House who have submitted the applications. It's a won-

derful opportunity for us to encourage these people in our communities who have gone above and beyond the call of duty to help protect the lives of people, whether in the hospitality industry or in an office environment.

I want to thank Heather for her courage and determination to ensure no future employee in the province has to go through what she has suffered.

The Speaker (Hon. Michael A. Brown): Responses?
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MORTGAGE BROKERS

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to respond to the earlier statement by the Minister of Finance concerning the introduction of the Mortgage Brokerages, Lenders and Administrators Act, 2006. I too, on behalf of the Progressive Conservative caucus, want to recognize and thank Ron Swift, the president of the Canadian Institute of Mortgage Brokers and Lenders, and, in the gallery as well, the affable and very handsome Jim Murphy, who has played a role in this, somebody whose judgment we have a lot of faith in as well, among others in the gallery, and to congratulate them all on the work they have done to date in bringing this legislation forward.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Does that mean that the rest of them are not handsome?

Mr. Hudak: I won't delay comments from my other colleagues by rating the members across, but what I can rate is that I know they're excellent individuals, dedicated to the profession, and I have great confidence in the advice they have brought forward to government and the opposition parties as well on this legislation.

We look forward to reviewing the bill when we'll have a chance to look at its details, and we are pleased the minister has brought this bill forward to the House. There's no doubt that the mortgage credit industry in Canada is growing significantly, particularly here in Ontario, and we need to ensure there are high qualifications involved in the business side.

I do want to take a few seconds to remind the government that there are ongoing concerns with one of the minister's colleague's bills, Bill 14, in how it interacts with some of the same services done by the mortgage brokers among others in that field. So we look forward to debate on this bill when it comes forward, but we also want to register an ongoing concern with some of the provisions under Bill 14, I think standing under the Attorney General.

ONTARIO HERITAGE WEEK

Mrs. Julia Munro (York North): I'm pleased, on behalf of John Tory and the PC caucus, to be able to join in with the minister in launching Ontario Heritage Week.

I think all of us recognize how important it is to our culture and our sense of identity, to our understanding of

the past, because, of course, it is only through the preservation and the viability of our heritage that we're able to define ourselves and recognize who we are.

In my own case, I look at the work done by the many people who work at fundraising and volunteering for the sites that are in my riding, including such places as the Campbell Museum and the national historic site of the Sharon Temple; and the folks who work on the Lloydtown rebellion and the Georgina Pioneer Village. They have also undertaken to launch and fundraise for a new military museum as well. So there's much, then, that all of us can take pride in.

I would suggest, however, that there are some things the ministry and, through the minister's leadership—certainly we would appreciate a much stronger voice on the issue of the provincial archives from this minister, as well as a stable commitment to funding for our small-town libraries.

Heritage is recognized around the world, and we have to accept the fact that we need to have that strong provincial voice to maintain the viability and economically sound value of our heritage property sites. Of course, the province is the owner of many of those.

We look forward to the minister accepting the challenge of continuing that kind of opportunity for all of us in Ontario.

HEATHER CROWE

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I'm very pleased to respond to the Minister of Health Promotion on behalf of John Tory and the Progressive Conservative caucus.

We rise with our colleagues today to pay tribute to this very, very courageous woman, Heather Crowe, who has been such an outstanding inspiration in her fight to protect other workers from the consequences of second-hand smoke. She certainly has been a tireless advocate. She has obviously done more than any other individual to ban smoking in the workplace and in public places. We appreciate the tireless efforts that she did undertake on behalf of all other workers who unfortunately will suffer as a result of being in a workplace with smoke.

I am sorry and I'm sad, as the minister has said, that her cancer is no longer in remission. Certainly our prayers and our thoughts go to Heather as she continues her fight. I'm pleased that so many people have come forward to recognize that—

The Speaker (Hon. Michael A. Brown): Thank you. Responses?

MORTGAGE BROKERS

Mr. Michael Prue (Beaches–East York): In response to the Minister of Finance, we welcome, of course, any reform in this area. I would like to thank all of those people who have participated to make the reforms as far-reaching as they appear to be. There are three items, though, that I would like to draw attention to at this point.

The first is that the minister has spoken about consumer protection, and I did not hear anything, nor do I see anything in the notes, about consumer education. Clearly, if this new act is going to be as far-reaching as I hope it will be, then the consumers will need to be protected by way of education as to what they might expect in this bill and how it differs from the past one.

I also would like to speak about the exemptions, because I find them rather far-reaching, and there's no explanation for them. It says, "Financial institutions and their employees are exempted." It goes on to say, "Persons and entities that provide simple referrals are exempted." It goes on to say, "Other exemptions from the requirement to be licensed include exemptions for lawyers." So it appears that there are many, many exemptions here, and I'm not sure as to the rationale. We'll be trying to find out the rationale for those many exemptions to a bill that requires licensing.

Last but not least, the bill goes on, I think puzzlingly, to explain, "The Mortgage Brokers Act imposes foreign ownership restrictions on mortgage brokers. That act also requires a prospectus to be filed with the superintendent in respect of mortgage transactions involving land outside of Ontario. The new act does not include such provisions." So it would appear that the new act will not protect Ontarians and Canadians from foreign ownership, nor will it protect people who buy property outside of Ontario.

We are going to have to look very closely at these as it goes into second and third reading debate.

ONTARIO HERITAGE WEEK SEMAINE DU PATRIMOINE DE L'ONTARIO

Mr. Rosario Marchese (Trinity–Spadina): On behalf of New Democrats, I was pleased to be at the Ontario Heritage Trust launch of Ontario Heritage Week at the Elgin and Winter Garden Theatre. That building is a true gem that we have, and each time I go I realize the wonders of what we hold by way of heritage buildings.

The preservation of Ontario's heritage has grown in the last 10 or 15 years, has attracted a great deal of interest and has attracted a lot of adherents to the preservation of our heritage, which is very good to see, so much so that if it weren't for them, we would not have had Bill 60 before us today, because it was they who forced the Liberal government, after sitting on that bill for one year—to bring it forth. I tell you, it's an opportunity to thank the heritage activists for the great work they have done.

This too is another opportunity to remind the Minister of Culture and to remind Monsieur McGuinty, who is present with us, that in order to preserve our heritage and to maintain and build on our culture, we need to give it more support, not less. To this extent, the government last year cut the budget of the Ministry of Culture by 6.8%.

You will know and remember that the Conservative government devastated the Ministry of Culture in a good economy. We were hoping that this minister, in a good economy, would increase the support for culture. Instead, we have sustained yet again 6.8% cuts.

Je vous encourage tous et toutes à participer cette semaine aux événements organisés dans ma collectivité locale. Aussi, comme vous le savez, le ministère de la Culture a subi de grandes coupures. J'encourage les citoyens, les citoyennes et les organismes patrimoniaux de presser le gouvernement libéral d'augmenter leur appui financier. Merci.

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HEATHER CROWE

Ms. Shelley Martel (Nickel Belt): Our thanks to Heather Crowe for her tremendous courage and commitment. Heather Crowe never smoked a day in her life, but she contracted lung cancer. The WSIB ruled that her cancer was directly related to the second-hand smoke that she had breathed in every working day of her life over 40 years, working as a waitress in smoke-filled restaurants.

Heather Crowe could have taken her decision and she could have gone home, but she made a very conscious decision to become an advocate; she decided to use her first-hand experience to try and get governments to ban second-hand smoke in workplaces and public places. She had no public speaking experience, no knowledge of how to lobby government, but she visited many governments and many people who were in authority to try and convince them that second-hand smoke kills and to ensure that workers would not be subject to the same fate that she had.

We are very sorry today to hear that her cancer is out of remission, and we send our thoughts to her and our best wishes, as well.

ORAL QUESTIONS

MINISTERIAL CONDUCT

Mr. Tim Hudak (Erie-Lincoln): A question to the Premier concerning the ongoing scandals around his Minister of Transportation: In a sworn affidavit, Minister Takhar's trustee states that at his April meeting at Chalmers "Mr. Takhar's telephone rang" and he proceeded to go outside and to speak upon it.

Premier, if this is the case, why is there not a single record of his phone call or any other phone call from Minister Takhar's cellphone at that time or that day?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I will be pleased to address these kinds of questions for as long as the opposition would remain interested in them, but having said that, I think that the Integrity Commissioner dealt with this matter conclusively. Beyond that, the Minister of Trans-

portation also has taken the necessary measures that were requested by the Integrity Commissioner with respect to dealing with his trustee in an effective way, and he also has apologized a number of times now.

I have every faith that he has drawn whatever lessons should be drawn from this experience and that he will continue to work as hard as he can to uphold the public interest.

Mr. Hudak: I understand why the Premier refuses to address the facts in the question. It gets worse: Minister Takhar, in a scrum Tuesday with the media, said it was not registered on his own cellphone log because he was using his wife's cellphone. However, in paragraph 19 on page 8 of your minister's sworn affidavit, the following quote: "Towards the end of the meeting, my cellphone rang and the reception inside the building where we were meeting was poor."

Premier, you have two very different and contradictory versions of the truth from your minister. Are you going to support this minister and keep him in the executive council, when it's clear that his story does not meet with the facts?

Hon. Mr. McGuinty: I have every confidence that the Integrity Commissioner would have dealt with this issue and any others that would have been either immediate in nature or collateral.

There were three separate allegations made by Mr. Tory. One was whether Minister Takhar's company benefited from his position in cabinet, and the Integrity Commissioner found that the answer to that question was no. The second was whether Minister Takhar was involved in the running of his family business while also ministering and, again, he answered no. What he did find was that the minister did err when he didn't tell the commissioner that his trustee, who had originally been approved by the commissioner, had also become the CFO of his riding association, and we agree with that as well.

I believe the matter has been dealt with by the Integrity Commissioner. If there are additional issues that the opposition member feels are pressing and of concern to the public, then, again, he can raise those directly with the Integrity Commissioner.

Mr. Hudak: It's disappointing that the Premier does not seem to care that there are two contradictory statements by his Minister of Transportation on a very serious issue. I'll say again: We have an FOI of the minister's cellphone bill. It does not reveal a telephone call that day. The Minister of Transportation, in a sworn affidavit, said he made a telephone call that day. One of two things is obviously apparent: either he tampered with the with the FOI, or his statement of the cellphone does not reach with the facts. Mr. Premier, which is it, and will you get to the bottom of this or move your minister to the back row where he belongs?

Hon. Mr. McGuinty: The opposition, the Conservative Party, is apparently very unhappy with the Integrity Commissioner's findings and recommendations. Again, if they think they have something new that the Integrity Commissioner has not properly considered, then of

course they are at liberty to raise that with the Integrity Commissioner. But from my perspective, I believe the matter has been dealt with conclusively. I think—in fact, I know—the Minister of Transportation has drawn the important lessons that should be drawn from this experience, that he remains absolutely committed to upholding the highest standard in his capacity as a minister and as a representative of a riding, and that he will work as hard as he can to uphold the public interest.

The Speaker (Hon. Michael A. Brown): New question.

Mr. Hudak: Premier, this is a serious problem. When you were on this side of the House, you raised bloody hell at the slightest whiff. It's obvious that your Minister of Transportation has said two entirely contradictory things about the cellphone at the meeting at the Chalmers Group. Your Minister of Transportation has broken the Members' Integrity Act; he has been found in violation by the Integrity Commissioner. Your minister has a sworn affidavit saying that he made a phone call, or received a phone call, that day at Chalmers, but last week he said that was not the case.

Premier, it's a question about your minister and it's a question about your ethical standards that you set for your cabinet. How can you stand by this minister, knowing that his own words indicate that a sworn affidavit has provided false information to the Integrity Commissioner?

Hon. Mr. McGuinty: I'm not sure about the propriety of that assertion just made by the honourable member, but let me say this: The Integrity Commissioner asked for and received the information he sought with respect to cellphone records. If for some reason the member opposite now believes that the Integrity Commissioner should have access to new information that he feels is important—and essentially what he continues to say is that he's not satisfied with either the thoroughness of the investigation made by the Integrity Commissioner or the findings of the Integrity Commissioner—then that's a matter, once again, that he should, himself, take up with the Integrity Commissioner.

Mr. Hudak: Again, Mr. Speaker, this is the Premier and the standards, or the lack thereof, that Premier McGuinty sets for his cabinet. Your Minister of Transportation had a sworn affidavit saying he received a cellphone call at Chalmers on that controversial day. The Premier is well aware of that day; he's well aware of the call. We waited some seven months for his cellphone bills through the freedom of information request. We finally got them back, we looked at that very day, and not a single call on the minister's cellphone, as he claimed there was.

Mr. Premier, how can we have any belief in the words the Minister of Transportation says, how can we have any belief in your picks for cabinet, when we find that his sworn affidavit does not meet with the facts that we found under the freedom of information request?

Hon. Mr. McGuinty: The member opposite is under the mistaken apprehension that somehow volume adds to the logic of his assertions.

I have every faith in the Integrity Commissioner. He has reviewed this matter. If this particular Integrity Commissioner has shown anything, he has shown himself to be thorough. He took a great deal of time to reflect on this matter and to hear evidence that was brought in over an extended period of time, and he came to the conclusion that he did.

I think the matter has been dealt with. I think it has been dealt with conclusively. Once again, I say to the member opposite that if he is not satisfied with either the result or the process culminating in that result, then that is something he should take up, once again, with the Integrity Commissioner.

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Mr. Hudak: The opposition makes no apology for raising the volume on this issue. The Premier is obviously voluntarily deaf when it comes to the conduct of his Minister of Transportation. I say to you again: On one hand, the Minister of Transportation says in a sworn affidavit that he used his cellphone that day; on the other hand, in a discussion with the media last week, he said he did not use his cellphone that day. We got the freedom of information request, and it showed that he made or received no calls from Chalmers that day. It's one of two things, Premier: Either the FOI request has been doctored in response to the opposition, or secondly, the sworn affidavit by the minister does not meet with the facts. Surely, even for your low standards, you'd look into this and find out, did he break the FOI or did he lie in his sworn affidavit?

Hon. Mr. McGuinty: Perhaps, in fairness, the member opposite has never had the opportunity to get to know Minister Takhar. Let me say, for the benefit of the members opposite, that he is a man of the utmost integrity. He considers it a genuine privilege to serve in public office, and he considers it a tremendous honour, beyond that, to serve in cabinet as Minister of Transportation.

He made a mistake. The Integrity Commissioner came to a conclusion, which I completely agree with. The minister has apologized. He has drawn the appropriate lessons from that experience. I think the matter has been dealt with conclusively.

NUCLEAR ENERGY

Mr. Howard Hampton (Kenora-Rainy River): My question is for the Premier, but I'm happy to tell the House that the score is now Canada 1, Sweden 0.

Premier, you said you would listen to what the people of Ontario have to say about your \$40-billion nuclear power scheme. Last week, you held three days of so-called open houses on your \$40-billion nuclear power scheme. In community after community, working families said no to your \$40-billion scheme and yes to thoughtful energy efficiency and conservation. The question is, will you now listen to the people?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): We will continue to listen to

Ontarians. We're very pleased with the interest that was demonstrated in that 12-city consultation.

Today Ontarians will find being delivered to their mailbox and their doorstep a brochure called *Our Energy, Our Future: It's Time To Talk About Our Electricity Future*. I would encourage all Ontarians, as many as possible, to take a moment to review this literature and take advantage of the opportunity to convey to us their impressions, their opinions, their advice, their concerns at the website listed therein. This is, I would argue, the most unprecedented effort to connect with Ontarians when it comes preparing for our energy future.

Mr. Hampton: This is what people said about your so-called open houses: "a sham," "a disgrace," "totally inadequate."

Premier, you want to boast about this. This is like sending out the New Year's invitation on January 3. The party is over. The open houses were held last week. If anything, what this \$1.1-million pamphlet shows is just how big a sham it is. After the open houses are over, people get something in the mail saying, "Oh, by the way, there was an open house."

There is a way to have a real process where people have a chance to examine the situation and provide alternatives. Will you submit your Ontario Power Authority supply plan to a full environmental assessment, where people can actually look at, examine it and cross-examine it, and provide alternatives?

Hon. Mr. McGuinty: I really do hope that Ontarians take the opportunity to review this brochure in some detail. A specific website, www.ontario.ca/energy, has been created, which I would encourage Ontarians to avail themselves of. We are very much interested in hearing from them in this regard.

We've got a huge challenge before us, not one that any other government has been prepared to take on. What we're really talking about is what kinds of decisions we need to make today in order to ensure we have the essential supply we're going to need by about 2015. We're taking on an important debate today in order to ensure that we have reliability of supply about 10 years from now. It would be easy to duck that, but I think that would be irresponsible. So in addition to that 12-city consultation phase, we have yet another opportunity we're creating for Ontarians and we very much want to hear from them in this regard.

Mr. Hampton: The open houses, three days, inadequate as they were, were held last week. At some time at the end of this week or next week, people might get their invitation in the mail, saying, "Oh, by the way, the McGuinty government is holding an open house on the future of nuclear power."

Premier, doesn't this seem obvious to you? It seems obvious to everyone else. This is a sham. This is a hoax. This is totally inadequate. Even if people get this during the first week of March, they have to respond within a couple of days in order to make the deadline that you've set out in here. I think it's obvious to everyone that \$1.1 million has been wasted on this. It's the invitation that

comes after the party. This is all about trying to finesse through your nuclear power scheme with the minimum public commentary.

Will you do the right thing, Premier: no more sham, no more hoax, no more invitation after the party is over? Submit your Ontario—

The Speaker (Hon. Michael A. Brown): Thank you. The question has been asked. Premier.

Hon. Mr. McGuinty: The leader of the NDP does not feel, obviously, that this is a worthwhile undertaking on the part of the government and on the part of taxpayers. I strongly disagree.

Let me tell you about some of the issues that we broach in this brochure and on which we're asking Ontarians to comment. We ask questions like: Do we have enough power right now? What about coal-fired plants? What about wind and other types of renewable energy? What options do we have? What about clean coal? Can we use more natural gas? What about nuclear energy? Can we buy power from other provinces that have more than enough? What is the least expensive choice for generating more power? What about conserving more so we don't have to build new generation? What's the most environmentally friendly choice for generating more power?

I would argue that this is comprehensive in nature. It is balanced, it is thoughtful and it's designed to provoke thinking among Ontarians. Again, we very much look forward to hearing from them.

ENERGY RATES

Mr. Howard Hampton (Kenora-Rainy River): It's an after-the-fact invitation designed to hide the fact that your whole consultation process is a sham.

Premier, I want to ask you about the 6,000 jobs that have been lost in the forest sector under your government as a result of your failure to have an adequate electricity policy. Industry leaders are saying that more job losses are to come—many more. They all agree that it's your policy of driving Ontario's hydroelectricity rates through the roof that is the major factor in killing these thousands of jobs. They've been telling you this for two years now.

My question is, before thousands more lose their jobs, what is the McGuinty government finally going to do about the situation you've created in the forest sector across northern and central Ontario?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): The member will know that if you go company by company, there are very different factors that affect each company. But overall, as our Minister of Economic Development and Trade has said, the rapidly increasing value of the Canadian dollar vis-à-vis the American dollar is the number one issue—

Interjection.

Hon. Mr. Ramsay: They are, Mr. Bisson—that they are saying. Some companies are saying it's the high cost of petro-energy, whether it be the direct fuels they use in their trucks or the resultant by-products and the chemicals that come from a barrel of oil. That has had a high input. All of these inputs have hit them altogether, as many financial analysts have said, as maybe a perfect storm.

As you know, we made an announcement two weeks ago extending for three years the electricity cap so that there is certainty there, and the rate, May 1, will be lower than it is today.

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Mr. Hampton: The minister should know that the forest sector has experienced the high value of the Canadian dollar before and they've weathered the storm. They've also had to deal with foreign competition before and they've weathered the storm. But what is different this time is that the McGuinty Ontario government is determined to drive the price of electricity through the roof. Every company that has shut down mills has said that.

Here's the reality, Minister: A mill in Ontario is paying about eight cents a kilowatt hour for their electricity. If they're in Quebec, they're paying four cents. If they're in BC, they're paying 3.5 cents. If they're in Manitoba, they're paying three cents. The reason more shutdowns are happening in Ontario is because the McGuinty government has driven the rate of electricity through the roof.

What are you going to do about that problem? Stop blaming everything else under the sun. They're your electricity rates; you set them. What are you going to do about it, or are you going to kill more jobs?

Hon. Mr. Ramsay: Let's be clear what's happening here. First of all, this is not just a problem and a challenge for Ontario industry. This is happening across the country. He knows that pulp mills in Newfoundland, Quebec and BC have closed, as well as in Ontario.

Also, the member makes it seem as if there's no cyclical adjustment going on here. He knows that when he was in government in the early 1990s, there were at least 14 mills that closed on his watch, and all the same factors were there. In fact, electricity prices were not a big concern at that time, but other factors impacted that industry and so there was further adjustment.

In each industry, there will always be cyclical adjustments that happen, and companies will transition themselves to do that. We have invested \$680 million to help that transition now to make sure that this industry can sustain itself.

Mr. Hampton: Once again, the minister wants to blame everyone else. Here's the reality, Minister: When the Cascades mill closed in Thunder Bay, they announced they were moving production to where? Saint-Jérôme, Quebec. When they shut down two paper machines at the Domtar mill in Ottawa, what they also announced was they were moving production across the river to the paper machine in Quebec.

What's happening here is, thousands of jobs are leaving Ontario. They're going to Quebec, Manitoba, British Columbia, they're going to Michigan and Minnesota, and the McGuinty government stands there and says, "Oh, gee, this is too bad." You've got a responsibility to do something, because if more paper mills and more pulp mills shut down, then that means sawmills are going to shut down because they'll have no place to sell the residual wood chips.

My question again: You've created this problem. What is the McGuinty government going to do to fix it before thousands more lose their jobs in the forest sector across northern and central Ontario?

Hon. Mr. Ramsay: In the last two weeks, I've been working with all the companies. I've visited Cascade headquarters in Montreal. I've spoken to them there. The assets there are going to be protected. We and the company are looking at securing new owners for that operation, so there may be very good news when it comes to that.

We've also been working on a daily basis with the companies as to what more this government could be doing to help these companies and to help the industry. We're working at that. We have some ideas we've been sharing with them, and they're very excited about what we're about to do. I would say to the member to stay tuned, because this government is about to announce some very exciting new initiatives when it comes to forestry.

OMERS PENSION FUND

Mr. Norm Miller (Parry Sound-Muskoka): I have a question for the Premier. Premier, last week, John Tory wrote and pleaded with both yourself and Sid Ryan, and other affected parties, to sit down and discuss your differences over Bill 206 so that the people of Ontario would know that absolutely everything had been done in order to avoid an illegal strike.

Premier, John Tory seeks common ground and a possible solution to avoid this unnecessary withdrawal of important public services. Sid Ryan is now willing to remove his threat an illegal strike in exchange for meaningful dialogue with and your government. Will you not take him up on his offer?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me just say that we believe there have been 10 years of discussions about the OMERS devolution idea. There have been all sorts of legislative hearings, after both first and second readings. There has been an unprecedented number of amendments that have been put forward, discussed and debated. There will be a further debate as soon as the bill is called for third reading. We have done everything possible to try to bring in a bill that is fair to employers and employees. They are the people who should be running this plan. It's

their contributions, and the benefits that will go to the workers from those contributions, who should have the say over that plan. We truly believe that the bill is as good as it could possibly be in being fair to all parties involved. It's time to devolve OMERS, and the time to do it is right now.

Mr. Miller: The bill's a mess. You've had over 100 amendments. You have the employers and the employees upset about it.

Premier, none of us support an illegal strike. Although it may not suit your political strategy to do so, you owe it to the people of Ontario to do everything in your power to avoid this illegal strike. You promised Ontarians labour peace in our province and you promised to end the politics of division, yet you are using the politics of division with Bill 206.

Premier, why then would you break these promises and not provide Ontario families with a last-ditch effort to avoid this illegal strike that will negatively affect them now? Why not do as John Tory has suggested and take a deep breath and step back? Convene a meeting with CUPE, AMO, police and firefighters, John Tory and Howard Hampton, and work out a better solution before the bill is called for third reading.

Hon. Mr. Gerretsen: As the member well knows, AMO wants changes to the legislation so that there is unanimity before any further benefits are being made available to be bargained at the local level. On the other hand, CUPE and the employees want it done on a 50% basis. The two positions are directly contrary to one another. As a matter of fact, the executive director of AMO, Pat Vanini, has stated, "What we want and what Mr. Ryan wants are diametrically opposed."

We are simply saying that the solution that we came up with when it comes to supplementary plans is the proper and fair solution, and that is that there should be 50% plus one before mediation and arbitration take place. It's not exactly what AMO wants—

Interjections.

Hon. Mr. Gerretsen: —I'm sorry—and it's not exactly what CUPE wants. But it's fair to all parties concerned.

I apologize to the Minister of Energy here for unfortunately touching her, spanking her.

MUNICIPAL FINANCES

Mr. Michael Prue (Beaches–East York): My question is to the Premier. Mr. Premier, requiring the city of Toronto to pay for your share of provincially mandated programs has left them with a \$212-million budget shortfall for this year. Your government promised to change the Harris downloading fiasco in order to support cities, and instead they are going bankrupt providing provincially mandated programs. When will you stop perpetuating the unfair downloading of provincial costs onto the backs of the citizens and taxpayers of Toronto?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): We are into discussions with the city of Toronto, as we are into discussions with the municipal world in general. As you know, currently there's the ROMA conference going on at the Royal York, which brings some 1,200 delegates from around the province—municipal elected officials—together for discussions. We're always discussing with them as to how we can improve the delivery of services to municipalities, whether it's the city of Toronto or whether it's the rest of the municipal world.

We know that as a result of the actions that that party across, the Conservative government, took for the eight to nine years before we took over, municipalities are in a difficult situation. Taking our financial situation into account, it's going to take some time to rectify that. We're willing to work with the city of Toronto and we're willing to work with the rest of the municipal world to make sure that the taxpayers and the residents of this province will get the best possible services both at the provincial and the local levels.

Mr. Prue: In opposition, the Premier said that he looked forward "to putting the city of Toronto on a sustainable footing so it can properly assume its responsibilities." But what you are doing, in effect, is allowing Ontario's economic centre to continue to pay for the downloaded programs that you have now adopted from the previous government.

Toronto's property tax base simply cannot afford to shoulder these broken promises any longer. When are you going to start assuming your own bill payments?

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Hon. Mr. Gerretsen: First of all, the new historic city of Toronto act that has been introduced will do more for the city of Toronto than any government has done over the last 100 years for the city of Toronto. There have been many other initiatives as well that this government has undertaken. Let's take a look at the gas tax arrangements that have been made and the over \$180 million per year that the city of Toronto will benefit from. Let's look at the housing agreements that have been signed with the city of Toronto for the first time in 10 years, from which the city will benefit as well.

There are numerous ways in which we want to help the city of Toronto, and the rest of the municipal world, so that the people of Ontario—and that's really who it's all about, whether they're in Toronto or elsewhere—will get the best possible services. This government is working toward it to make sure that the damage that was done by the previous government can be overcome as quickly as possible for all concerned.

NORTHERN ONTARIO DEVELOPMENT

Mr. David Oraziotti (Sault Ste. Marie): My question is for the Minister of Northern Development and Mines. Minister, as you know, promoting economic development in northern Ontario is especially challenging. Our northern communities faced years of neglect under the

former two governments, and Sault Ste. Marie was no exception. We need, as much as any other community in Ontario, new, secure, high-paying jobs to diversify our local economy, to grow and become more prosperous. We also face the same challenges as other jurisdictions, particularly with the forestry industry, with the high Canadian dollar and the unresolved softwood lumber issue.

We've been working very hard in my riding of Sault Ste. Marie to seek out and develop new, innovative projects and opportunities for our community, and I want to thank you and Minister Cordiano for coming to Sault Ste. Marie on February 10 to support the recently announced Algoma-SIAG project. Minister, can you elaborate on the details of this project and explain how our government's GO North program works for communities like Sault Ste. Marie?

Hon. Rick Bartolucci (Minister of Northern Development and Mines): First of all, I want to thank the member from Sault Ste. Marie for the question. GO North is a key component of our northern prosperity plan, and it will help attract investment and create jobs in the north. Through the hard work of MPP Orazietti and our GO North investor program, the McGuinty government is bringing high-value, highly skilled jobs to the people of Sault Ste. Marie. We're doing this by investing in the SIAG Great Lakes Ltd. Partnership, a more than \$35-million joint venture between Algoma Steel and the German-based SIAG company. This will create 140 new high-value, highly skilled jobs, which will create steel wind towers using SIAG's innovative technology.

The GO North investor program is also working with the northern Ontario heritage fund to foster economic well-being. Ontario's commitment to SIAG is that we will make a one-time conditional grant of \$1.75 million and a \$3-million loan from the Northern Ontario Heritage Fund Corp.

Mr. Orazietti: Thank you, Minister. This incredibly important investment reinforces the McGuinty government's commitment to play a major role in diversifying Sault Ste. Marie's economy. The creation of 140 high-skilled jobs is fantastic news because it means more employment opportunities and tremendous spinoffs for our city.

Minister, I know that the northern Ontario heritage fund is also an essential tool for our northern communities, especially since we have refocused the fund to focus on job creation. Minister, can you please share with my constituents and this House how the NOHFC is working for northern Ontario and what other initiatives our government is working on to attract international investment into northern Ontario?

Hon. Mr. Bartolucci: I am very pleased to say that we have met our commitment to return the northern Ontario heritage fund to its original mandate, which is fostering private sector job creation. Since October 2003, the Northern Ontario Heritage Fund Corp. has approved over \$126 million toward projects that will help create 4,768 net new jobs—that's 4,768 net new jobs. We had

funded 532 projects across the north, leveraging investments of over \$453 million into the northern Ontario economy. We are also promoting investment in northern Ontario through a new video that showcases the north's business advantage, sector strength and the quality of life to international audiences. This video is only part of our GO North investor program.

ELECTRICITY SUPPLY

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): My question is for the Minister of Energy. We learned yesterday that each household will soon receive this slick little piece of Liberal advertising, paid for to the tune of over \$1 million by the hard-working taxpayers of Ontario. Minister, what a sham. You pretend—

Interjections.

Mr. Yakabuski: Yes. If it fits, it's reusable.

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. Order, Minister of Health Promotion. The Minister of Community and Social Services will come to order. I need to be able to hear the member ask his question.

The member for Renfrew–Nipissing–Pembroke.

Mr. Yakabuski: Minister, you pretend to consult with people across the province because you're feeling the heat. This is a joke. If you wanted people's input, you should have been asking for it before you released the OPA's report; you should have been asking for that input two years ago. Why don't you simply admit that you don't really care what the people of Ontario think about your failed electricity policy and that this is nothing but a \$1.1-million piece of Liberal propaganda?

Hon. Donna H. Cansfield (Minister of Energy): Actually, if anybody would like see slick, how about the budget of 2003: the education report, the seniors report, all those pictures that are in there—the Premier of the day, Mr. Eves; the finance minister of the day. That's slick.

The difference was that what we did was publish a document in our two official languages which simply asks questions of the people of Ontario. They need to have some information in order to give us back some information about what they believe the supply mix should look like for the future. We've put in motion the 10,000 megawatts we need for 2010, and now we're asking them to participate with us in what the future would look like.

We didn't have to resort to using our pictures; all we had to do was give them the right information and the right tools for them to make good decisions—

The Speaker: Thank you. Supplementary?

Mr. Yakabuski: Minister, you're not asking people questions; you're trying to give them the answers. For goodness' sake, there's nothing in there but you trying to get them to accept what is a disaster in your electricity policy; you're trying to get them to accept a failed energy policy. You're not asking them what they think about electricity; you're trying sell your mess. That's what

you're trying to do. It's like offering free first-class passage on a sinking ship. Minister, why don't you simply admit that you never had a plan in electricity?

You know, there's an old saying: Measure twice, cut once. You guys are cutting up the electricity file in this province with a blunt axe. You have made a mess of it. Admit you have no plan and that we're heading for pending disaster under your leadership.

Hon. Mrs. Cansfield: I'm pleased to respond. We've always said we would maximize our existing assets, be they in generation or transmission; we would build new generation, and we have put into action in this province more generation than any other jurisdiction in North America; and we would create a culture of conservation, which we are doing. It's the first time in 12 years that phenomenal things are happening in this province, which has been absolutely dead. If they weren't cancelled by one group, they were ignored by another. They ignored generation, they ignored transmission and they sold off our assets. The difference is that we're going to change the way business has been done: engage the people in Ontario, knowing they have in place a strategy that will ultimately keep the lights on for them. We are going to continue to do that, because that is our job and it is the right thing to do.

TENANT PROTECTION

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Municipal Affairs. You promised to repeal the so-called Tenant Protection Act within 365 days of taking office. I have to tell you that you're late. Today is 871 days—871. As a matter of fact, you're very late. If you were a tenant, you'd be evicted by now. When Dalton McGuinty asked for the tenant vote, he called this act the “tenant rejection act” and promised to fix it within one year. You promised to provide real rent protection to tenants. When will you repeal this so-called Tenant Protection Act and replace it with effective tenant protection law?

Mr. Rosario Marchese (Trinity–Spadina): Soon. It's coming.

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Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I think one of his colleagues knows the answer: It's coming soon.

We want to get it right. There have been so many pieces of tenant protection legislation in this province over the last 20 or 30 years that were wrong that we want to get it absolutely right. In order to do that, we had one of the largest consultations ever to take place in Ontario.

We've already done an awful lot for the housing situation in Ontario. We've opened a rent bank in which we put \$10 million, which has prevented over 3,000 evictions that otherwise would have taken place. We signed an agreement with the federal government for a total of \$738 million to make sure there's affordable housing from a home ownership viewpoint, from a rental viewpoint, and from a housing allowance viewpoint for

low-income individuals. We've had the lowest rent guideline increases in this province over the last two years, lower than ever before in the previous 20 years. The new tenant protection legislation is—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Prue: From that response, I think you can just add tenant protection and rent controls to your list of broken promises. Minister, evictions in Toronto have reached record levels. You're talking about stopping them. The Federation of Metro Tenants' Associations calls the recent eviction notices—increases of 10.7% in Toronto and a whopping 14.1% in Scarborough—outrageous and distressing. That's the highest number since the Harris government introduced the Tenant Protection Act way back in 1998. With eviction notices at record levels, how many more tenants have to be evicted before you repeal this act and replace it with one that works?

Hon. Mr. Gerretsen: As the member well knows, a new act will be coming to this Legislature soon. As he also knows, quite often the eviction method is used in order to get both sides to mediation, and that's exactly what is happening. We read the articles in the newspaper this week as well and realize that there is a higher level of eviction notices going out than before. We're studying that right now. We're certainly taking that into account as we come up with our new tenant protection legislation. We want to make sure that when that legislation is presented to the House, it is both fair and equitable to good landlords and good tenants. That's what we're striving towards and that's what we're going to deliver.

OMERS PENSION FUND

Mr. John Milloy (Kitchener Centre): My question is for the Minister of Municipal Affairs and Housing and deals with OMERS devolution as outlined in Bill 206. As members of this Legislature know, OMERS legislation devolution has been debated for over 10 years and, in 2002, the OMERS board issued a report that involved 18 months of consultation with all planned groups at the table, a report that our government used for the creation of Bill 206.

Since its introduction, the bill has gone through two rounds of committee hearings, with standing committee members hearing over 50 deputations and receiving over 100 submissions from retirees, municipalities and OMERS plan members. During this process, the government accepted a number of amendments from stakeholders and the opposition in order to strengthen the bill. What has emerged from this process is a model for managing the pension plan designed to be fair and equitable. One group, however, that has had particular concerns has been retirees. Could the minister tell the Legislature the role that retirees will play in the new model?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I know it's a concern about the myths that have been put out there that somehow

pensioners' pensions are going to be affected. I want to say categorically that pensions will not in any way, shape or form be affected. I would encourage pensioners who are interested in this to go to the OMERS website. OMERS is the board that currently governs the pension plan. It's got seven employee representatives and seven employer representatives on there and it clearly and categorically states that pensions are not going to be affected. Current rights are not going to be affected one iota.

As a matter of fact, under the new bill that we're proposing, a pensioner, a retired individual, will have a seat on both the sponsorship corporation and the administrative corporation, which will give them a right to make the kind of decisions that we expect those employers and employees who are members of those boards to make in the future on the plan.

Mr. Milloy: I'd like to point out that Bill 206, if passed, would affect more than 355,000 active and retired workers who rely on OMERS for their pension plan. As I understand it, the province doesn't contribute directly to the plan because it's not an employer. However, the province does contribute millions in the form of transfer payments to certain OMERS agencies; for example, children's aid societies and school boards. I understand that this morning the minister addressed the ROMA/OGRA conference and indicated that municipalities ought to revisit their cost estimates for early retirement options for paramedics, firefighters and police officers. Could the minister explain to the Legislature why he believes that these municipalities need to re-examine their cost estimates?

Hon. Mr. Gerretsen: Again, the numbers that have been put out on the potential cost of this plan are, in our opinion, grossly and drastically overstated. There have also been suggestions made that for the supplemental plans that may be negotiated at the local level, once the bill is implemented, there's going to be some sort of cross-subsidization from either the main plan to the supplementary plan or vice versa. That simply cannot happen.

The bill is intended to do two things and two thing only: (1) to make sure that the OMERS file is finally transferred to those employers and employees who have been paying the payments and receiving the benefits from that plan; (2) that supplementary plans be made available to our emergency workers—namely, fire, police and paramedics—who, on a daily basis, risk their lives to make sure that all Ontarians, including you and me, are safe to live in this province.

DISASTER RELIEF

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is to the Premier. This past week Ontarians watched in horror as a landslide wiped out a village in the Philippines and buried hundreds of homes and a school in mud. It is estimated that up to 1,400 people are missing. On behalf of our leader, John Tory, and our caucus, I

extend our condolences, prayers and thoughts to the families impacted by this disaster.

Yesterday, the Canadian government pledged \$300,000 in initial assistance to support the recovery and rehabilitation efforts. I ask you today, will you consider sending \$150,000 to the Philippines on behalf of Ontarians to support the relief efforts and the people who have been impacted by this tragic disaster?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Let me first of all say that I fully endorse the sentiments just shared by the honourable colleague opposite, and we offer our sincere sympathies and support to the affected communities. I can say that I issued a statement during the course of the weekend. I also have a call in, as we speak, to the consul general. Beyond that, I have not yet had an opportunity to fully consider what we might do by way of assistance. I look forward to getting a moment to speak with some of the ministers in my cabinet about that. But I can say that in the past we have found a way to provide specific assistance to others in other parts of the world in times of need, and I look forward to considering this matter very carefully as well.

Mrs. Witmer: I appreciate the fact that the Premier has indicated that he is prepared to consider making available to the people in the Philippines \$150,000 in order that we can support their relief efforts and also support the people who have been impacted by this severe tragedy. Thank you.

Hon. Mr. McGuinty: The Minister of Citizenship and Immigration.

Hon. Mike Colle (Minister of Citizenship and Immigration): Just to let the House know, I have spoken to the consul general of the Philippines this morning and offered our condolences and our support. I have also put in a call to our Commissioner of Emergency Management, Commissioner Fantino. Just like this government and this province helped in Katrina where we sent 66 members of the civil service to help, we helped in the tsunami and we helped in Pakistan, we've offered our support. We will have discussions with the consul general of the community to see how Ontario will help, as it always has helped. Despite the fact that some critics have said that we shouldn't have helped in the tsunami, that we shouldn't have helped in Pakistan, we will be there to help the people of the Philippines, as we are connected with the people of the world.

1520

CHILD CARE

Ms. Andrea Horwath (Hamilton East): My question is to the Premier. In 2003, you promised to invest \$300 million of new provincial money for child care, but you broke your promise. You voted down an NDP motion to start spending that child care money that you committed to. You chose to rely solely on federal money instead of taking control and creating the spaces that you promised. Had you kept your promise and invested Ontario dollars in Ontario child care, families needing regulated child

care would know that you had protected their interests even as your fragile federal deal is coming apart.

Will you keep your promise today and show the parents the \$300 million you promised for affordable, licensed child care?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Children and Youth Services.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I appreciate the interest of the member for Hamilton East. She should be concerned about the federal deal, about the deal that is being reconsidered, apparently, by the government of Canada. Let me tell you what the people of Hamilton East have to lose here: 2,390 child care spaces and an additional investment of \$93.61 million.

It has been surprising to me that we have heard nothing from the leader of the third party in support of this agreement. There is an agreement in place with the government of Canada and the government of Ontario. Why wouldn't the third party, why wouldn't the member for Hamilton East, why wouldn't Mr. Hampton on behalf of the third party be standing by the parents of Ontario to support—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary.

Ms. Horwath: I certainly do know what my community is going to lose, as well as the other demonstration projects, if this government refuses to invest the dollars that they said they were going to invest in child care funding in the province of Ontario. The \$300 million that you promised but didn't deliver would create a lot of child care spaces for those working families. Nine out of 10 children in Ontario can't get the child care they need, and we all know it. You asked Prime Minister Harper to honour the agreement he has with the people of Ontario. He should, but so should you. Will you honour your agreement with the people of Ontario and fund child care spaces with the 300 million Ontario dollars, and when will you do that?

Interjections.

Hon. Mrs. Chambers: I hear a member of the official opposition commenting not in support of the parents of Ontario, but in opposition to our desire to have this agreement honoured. So let me ask you, as members of the official opposition, Mr. Tory and the Tory caucus, to stand behind the people of Ontario, to stand behind parents and children. We have yet to hear anything from you as members of the opposition. So to you, Mr. Tory and your caucus, and Mr. Hampton and your caucus, let me see exactly how serious you are about representing the interests of the parents of Ontario.

Interjections.

Hon. Mrs. Chambers: This is not about politics. This is not about partisan initiatives. This is a deal between the government of Ontario and the government of Canada, regardless of the political partisan relationships, between parents and—

The Speaker: New question.

AMATEUR SPORT

Mr. Kevin Daniel Flynn (Oakville): My question today is for the Minister of Health Promotion and it's about Ontario athletes. I think all Ontarians would agree that fostering and maintaining a culture of amateur sport in this province is extremely important. In 1992, for some reason, the revenue from the Wintario lottery, which had funded amateur athletes, was redirected to general revenue. Athletes were left without the resources to support themselves while training to represent Ontario nationally and internationally. I know that many amateur athletes in Oakville commit enormous amounts of time to training and conditioning while trying to balance school and work. Minister, how is our government's innovative Quest for Gold lottery going to provide real support to the high-performance amateur athletes in Ontario?

Hon. Jim Watson (Minister of Health Promotion): I want to thank the honourable member for Oakville for the question. The Quest for Gold lottery that we launched just a few months ago has been a tremendous success. Our government has committed \$2.5 million, as a result of lottery proceeds from Quest for Gold, to amateur athletes before March 31 of this fiscal year.

Our athletes act as role models and ambassadors for young and old alike. We watch the Olympics with great pride. I'm pleased to report that in the second period the women's hockey team is winning 2-0, and we are very proud of them.

Let me just tell you where that money is going: 70% to direct financial assistance for elite athletes; 20% to increase access to high-performance coaching; and 10% in funding for enhancing the Ontario Games program. And 100% of the net proceeds are going directly to amateur sport in this province. It's not going to a bureaucracy, it's not going—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary.

Mr. Flynn: Thank you, Minister. That's great news for any amateur athlete who aspires to compete for Ontario or Canada. Finally, ordinary Ontarians now will be able to support our amateur athletes any time they buy a lottery ticket.

With the Olympics under way in Turin, many Ontarians will be wishing to help those athletes, but there have been fewer Ontario athletes over the past 10 years than ever before. The percentage of Ontario athletes on Canada's winter Olympic teams has decreased by more than half. Similarly, the percentage of Ontarian athletes on Canada's Commonwealth Games teams decreased from 60% in 1986 to 32% in 2002. Minister, how will this lottery reverse this trend, and what can we expect in terms of real revenue from this initiative?

Hon. Mr. Watson: Let me begin by congratulating the Ontario athletes who have done so well in Torino: Jeffrey Buttle from Sudbury captured the bronze in figure skating; Kristina Groves from Ottawa, silver in pursuit long-track speed skating; Christine Nesbitt from London, silver in pursuit long-track speed skating; and 10

members of the women's hockey team are from Ontario. We're very, very proud of them.

Our government, under the leadership of Premier McGuinty, with this Quest for Gold funding, has increased base funding for provincial sports organizations by 83%. That compares to the previous government that cut amateur sports funding by 42% in its first three years.

Let me conclude by quoting Adam van Koeverden from Oakville, an Olympic kayak gold medalist, who said, "This lottery will encourage athletes to stay in Ontario and train here instead of going to Quebec or British Columbia, where they become those provinces' athletes"—

The Speaker: Thank you. New question.

Interjection.

The Speaker: Order. Sit down.

EMPLOYMENT STANDARDS

Mr. Robert W. Runciman (Leeds–Grenville): I have a question for the Minister of Labour. As I'm sure you're aware, in December Mahle Engine Components announced its closure in Gananoque. That is, as you can appreciate, with 90 employees, an enormous, damaging blow to a small town. The company has since declared bankruptcy and failed to meet its obligations with respect to pensions, severance and health care. Under the Employment Standards Act, you have the authority to order an audit of the company in circumstances such as these. I'm asking why you haven't authorized such an audit to occur, as a request has been submitted to your ministry and was rejected.

Hon. Steve Peters (Minister of Labour): I think we all share the concern for the employees and their families in that community. As you are well aware from my response to you, under the Canadian Constitution it's the Parliament of Canada that has the exclusive domain over bankruptcies and insolvencies. I responded to you last week in that regard that it is federal jurisdiction and, as a consequence, the Ministry of Labour is not in a position to investigate or assess the legality of a bankruptcy or the proceedings under the Bankruptcy and Insolvency Act. The Ministry of Labour does conduct investigations into employment standards claims from a former employer who has gone bankrupt.

1530

There are both unionized and non-unionized employees there. Those unionized employees are encouraged to speak to their unions, and the non-unionized employees are certainly free to contact the Ministry of Labour.

Mr. Runciman: I appreciate the letter, but the minister didn't answer my question then and he hasn't answered it here today. Perhaps he should speak to his predecessor, Minister Bentley, who issued a press release last year lauding the centralized insolvency and collection unit within the ministry for securing close to \$1 million from a bankrupt company in Ajax, Ajax Precision Manufacturing. This was the former Minister of Labour

saying what a wonderful job this unit was doing within the ministry, ensuring that we could go after these companies who structured a bankruptcy so as to avoid their obligations. What's the difference, Minister, between Ajax, where your predecessor lauded an initiative under the Employment Standards Act, and what has happened in Gananoque?

Hon. Mr. Peters: I reiterate that the jurisdiction of bankruptcy and insolvency is a federal matter. This is an issue that is laid out as a constitutional issue, and it is the federal government that is charged with that responsibility. As I said in my earlier response to the honourable member, those non-unionized employees are certainly free to contact the Ministry of Labour, and the unionized employees involved are encouraged to contact their union.

PETITIONS

CANCER TREATMENT

Mr. Cameron Jackson (Burlington): My petition is to the Parliament of Ontario.

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exemptions to meet the needs of their patients."

This has been signed with my support.

IDENTITY THEFT

Mr. Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario and the Minister of Government Services. It reads as follows:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"Therefore we, the undersigned, demand that:

"(1) All consumer reports be provided in a truncated (masked-out) form protecting our vital private information such as SIN and loan account numbers.

"(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

"(3) The consumer reporting agency shall only report credit inquiry records resulting from actual applications for credit or increase of credit except in a report given to the consumer.

"(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate."

Since I agree with this, I'm delighted to sign this petition.

CANCER TREATMENT

Ms. Andrea Horwath (Hamilton East): This is a petition to the Parliament of Ontario:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I agree with this petition. I'm sending it to the clerks' table by way of Michael.

MACULAR DEGENERATION

Mr. Bob Delaney (Mississauga West): It's a pleasure to stand and read a petition supporting an initiative by my seatmate and colleague the member for Niagara Falls. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), and there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

It's my pleasure to affix my signature to this petition, and to ask page Hannah to carry it for me.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mrs. Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

As I'm in agreement, I have affixed my signature and am giving it to Nicholas to take to the table.

DIABETES TREATMENT

Mr. Kim Craiton (Niagara Falls): I'm pleased to present the following petition, and it reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We are requesting that all diabetic supplies, including insulin infusion pumps and the supplies required to maintain them, blood glucose test strips, insulin and syringes, as prescribed by" the medical community, "be covered under the Ontario health insurance plan.

"Diabetes costs Canadian taxpayers \$13 billion a year and is increasing! It is the leading cause of death and hospitalization in Canada. Many people with diabetes cannot afford the ongoing expense of managing diabetes.

They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood, and even reuse ... needles. These cost-saving measures often have ... disastrous health consequences.

"Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes.

"Every diabetic deserves an equal opportunity in caring for their disease."

We're asking the government to provide all costs for this necessary medical assistance.

1540

OMERS PENSION FUND

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition from CUPE Local 1457, from the riding of Parry Sound–Muskoka.

"To the Legislative Assembly of Ontario:

"Whereas CUPE Local 1457 is concerned by the Liberal government's legislation, Bill 206, Ontario Municipal Employees Retirement System Act, 2005; and

"Whereas Bill 206 contains a multitude of changes that will cripple OMERS' ability to manage its \$40-billion pension assets; and

"Whereas Bill 206 makes no provision for oversight of pension funds or accountability; and

"Whereas Bill 206 changes the rules on resolving differences among sponsors, making it harder for CUPE to find a way to improve and protect pensions; and

"Whereas Bill 206 discriminates against women and lower-paid members while providing for special consideration for police and firefighters;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government abandon passage of Bill 206."

The Deputy Speaker (Mr. Bruce Crozier): The member for Etobicoke—help me—

Interjection.

The Deputy Speaker: —Scarborough Southwest. Thank you.

Mr. Lorenzo Berardinetti (Scarborough Southwest): Thank you, Mr. Speaker. I have nothing against Etobicoke; I think it's a great part of Ontario as well.

ASSISTANCE TO FARMERS

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition. It was prepared by Sonny Sansone, who is a resident in my riding. He has several signatures here. The petition is addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas Ontario farmers are facing difficulties in earning their living and supporting their families;

"Whereas urban residents, such as those in Toronto, count on a reliable food supply from Ontario farmers; and

"Whereas farming is an integral part of the Ontario economy;

"We, the undersigned, petition the Legislative Assembly as follows:

"To ensure that Ontario farmers are supported so that all residents can count on a reliable, well-priced, safe food supply for all Ontario residents."

I agree with this petition, affix my signature to it and hand it to page Jordan.

CURRICULUM

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition to do with grade 12 mathematics curriculum changes from students from the Muskoka area.

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Education plans to remove the study of derivatives from the grade 12 mathematics curriculum; and

"Whereas the grade 12 university preparation course Advanced Functions and Introductory Calculus is designed for students intending to study university programs that will involve calculus; and

"Whereas the course currently provides an introduction to the fundamental concepts of calculus, which are also required in grade 12 physics; and

"Whereas it contains three strands: advanced functions, in which students explore the properties and applications of polynomial, exponential and logarithmic functions; underlying concepts of calculus, in which students develop an understanding of the basic concepts of calculus by analyzing the rates of change involved in applications; and derivatives and applications, in which students develop, consolidate and apply to graphing and problem-solving the rules and properties of differentiation; and

"Whereas all of these strands are requirements for most university programs, and to remove any of them from the high school curriculum will leave the students of Ontario at a disadvantage when compared to the students from other provinces;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure that the Ministry of Education continues to retain all parts of the current grade 12 mathematics curriculum and stops making changes that put the future careers of Ontario students at risk."

I support this petition.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I hope you will be patient with this petition, because I keep getting them. It's about the dilapidated bridge on St. Clair Avenue West and Old Weston Road. The petition is to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

"Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of

Old Weston Road, making it easier for GO trains to pass a major rail crossing;

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair-Old Weston Road bridge;

"Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it's about 50 metres long). It's dark and slopes on both east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Since I'm in full agreement with this petition, I'm delighted to sign it.

PUBLIC LIBRARIES

Mr. Cameron Jackson (Burlington): I have a petition to the Legislature of the province of Ontario:

"Whereas the \$700,000 cut in funding to the Ontario Library Service (OLS) budget will have a significant impact on the delivery of public library service across the province in areas such as:

"—reductions in the frequency of inter-library loan deliveries;

"—reductions in SOLS' consultation services and the elimination of a number of staff positions;

"—the elimination of province-wide research on library and socio-demographic trends that all libraries need for their own planning;

"—the reduction of consortia/charitable purchasing, a service that provides economies-of-scale discounts to libraries on a variety of goods and services; and

"—a reduction in the amount of material that is translated for OLS French-language clients;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To restore funding to the Ontario Library Service (OLS) in order to signal support for the Ontario public library system."

This particular petition has my support and signature because of the major expansion of the library system in the city of Burlington.

FIREARMS SAFETY

Mr. Norm Miller (Parry Sound-Muskoka): I have a petition to do with hunter safety courses, and it says:

"To the Legislative Assembly of Ontario:

"Whereas the practical examination for the handling of firearms is a valuable component of the hunter safety course; and

"Whereas hunters and safety instructors have grave concerns about the removal of the practical examination for handling firearms;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the practical examination of the handling of firearms continue to form part of the hunter education safety course for Ontarians."

ORDERS OF THE DAY

REPORT, INTEGRITY COMMISSIONER

Resuming the debate adjourned on February 16, 2006, on the motion that the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein.

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Trinity-Spadina.

Mr. Rosario Marchese (Trinity-Spadina): I want to welcome the citizens of Ontario to this debate. We're on live. It's 10 to 4 on Monday. We're debating the report of the Honourable Coulter A. Osborne, the Integrity Commissioner; regarding the Honourable Harinder Takhar, Minister of Transportation and member for Mississauga Centre.

I want to, for the record, try to talk about what we're debating so that those of you who are watching have a better sense of the issue.

You should be reminded that the Minister of Transportation had a controlling share interest in the Chalmers Group, and because he had become a minister, that interest was held in management trust, of which Joseph Jeyanayangam is the Chalmers CFO and is the trustee.

The complaint has to do with the minister having gone on a number of occasions to the Chalmers Group location: on April 29, 2005, including other occasions, December 17, 2004, which we argue is in breach of the integrity act. It is also known that there is undisputed evidence that Chalmers provided a parking place at its offices for the minister, something that may be considered irrelevant or minor by some but something we consider to be a problem, including the fact that the individual's shares are in trust to Joseph Jeyanayangam, who is the treasurer of the minister's riding association. So we think there's a great deal of conflict in what the minister has been involved in, and that is what we are debating.

1550

I will read the preamble of the integrity act, which states the following: "Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity

of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members." It says as well, "Members are expected to act with integrity and impartiality that will bear the closest scrutiny." We believe the act has been violated by Mr. Harinder Takhar, the Minister of Transportation. I will go on to show how, based on the evidence provided by the Integrity Commissioner, he has violated the act.

Page 10 of the integrity report: "In his response to the substance of the allegations the minister asserted that in the spring of 2005 he and his wife faced the prospect of paying for their younger daughter's university education starting in September 2005. The minister stated that because of difficulties in arranging a time for discussion about university-related matters he and his wife decided to meet at Chalmers on a workday when both of them were free. As to Mr. Jeyanayangam's attendance at the meeting, through his counsel, the minister stated:

"It was also decided, at the time that the meeting was being set up, that"—I'm having difficulty with his name; I hope I pronounce it correctly—"Mr. Jeyanayangam ... would be asked to attend, since he was in control of the assets from which the education would be paid for."

Mr. Peter Fonseca (Mississauga East): Jeyanayangam.

Mr. Marchese: Those of you who can correct me, please do so. It's a serious matter for me in terms of trying to pronounce it correctly.

The fact that the minister met at the Chalmers company is a serious breach. It's a serious matter that the minister ought to have known would cause a serious problem to him, to his office, to his ministry, to his government, yet he disregarded all the things that he as a minister ought to have known. The fact that he argues he could not find time to meet at home is incredulous to some, but I suspect unbelievable to most. Most of us who have spouses see each other on a regular basis, meet with each other on a regular basis, find lots of time to agree on things, disagree on things, debate things that we may or may not agree on, but we do find the time. It's inconceivable to me that someone's defence would be that the two of them simply could not find the time to meet to discuss a matter having to do with their daughter, who purportedly is to be sent away or wants to be sent away to Britain or Scotland for her education. It's a simple issue in my mind. It doesn't require a whole lot of time. Having been a minister, I can tell you, yes, ministers are busy, but we do have time to talk about serious issues with our partners or spouses at home, at any time of the week, but especially on a Friday or a Saturday or indeed on a Sunday. And if we can't find the time to do that, we are in serious trouble as human beings.

It is unbelievable and inconceivable to me that the argument could be made by the minister or the spouse that they couldn't find the time. Most Ontarians would find that very hard to believe. So the defence that they couldn't find the time and they had to go to the corporation, the company—the place where he should not be found is the only location where he and the spouse and

the treasurer of his riding association, who is also the person to whom his shares are in trust, could meet. A simple half-hour at home on Sunday afternoon, a simple half-hour or hour at home Saturday morning, Saturday afternoon, could easily have been found. For the minister not to be aware of the seriousness of this is beyond me. This is not to attack him, necessarily, because he's a very decent man, from what I know of him in this Legislature. The problem is that when you're a minister, these things you ought to know. The 13, 14 or 15 people that you hire ought to be helping you. If you do not find the time to read the integrity act, one of the 14 or 15 people that you hire should read the act to help you. That would be their job, assuming you have no time to understand the rules of the integrity act. It cannot be that you can make an argument of ignorance as to why you went to the place where you shouldn't be going, instead of meeting at home, or somewhere else for that matter. The defence that has been put forth by the minister is, in my humble view, incredibly weak.

On page 14 of the report, I discovered—because I wanted to read it to understand this better—that the minister's riding association uses the Chalmers Group offices as its official address. Can anybody explain that to me? Remember, he has placed his shares in trust. He should not be stepping foot into that place. We discover that the minister's riding association uses the Chalmers Group offices as its official address. Why would anybody do that? Where are the 14 or 15 people that you hired to help you out? Where are they to tell you, "Minister, this is a problem of an egregious nature," and I will get to that word in a moment. Where are they? Who is it that you hire, highly-paid individuals that are not there to help you out on a simple matter such as this? All of us would have the address of the riding association belonging to the members of the riding association who are part of our executive and the address would be not where we work, not at Queen's Park, not at the constituency office, certainly it wouldn't be at a former company. It would be somewhere beyond reproach. I wager to say that all of the members in this assembly know that, and I wager to say that the majority of the members in this place wouldn't put the address of their riding association in a constituency office or a Queen's Park number, or your own company for that matter. It's just not good politics. It makes no sense.

Mr. Siegel, the defence lawyer for the Minister of Transportation, wanted to dismiss the complaints brought forth by Mr. Tory as frivolous. It's amazing that if somebody complains about the fact that he had two meetings and the man with whom his shares are placed in trust is also the riding association treasurer, those allegations would be considered frivolous by the minister's defence lawyer. Mercifully, the Integrity Commissioner says: "I see absolutely no basis upon which to accede to Mr. Siegel's submissions that the complaint be dismissed as frivolous and vexatious or not made in good faith. The allegations made as related to ss. 10 and 11 of the act require an answer or an explanation. This complaint is

manifestly not frivolous and vexatious or made in bad faith.” The commissioner uses the word “manifestly.” Notice that there is a great deal of weight that is put to the language that is used by the Integrity Commissioner, in this case: “manifestly ... not vexatious.”

1600

I'll move on to the report, on page 27. We're coming near the end of it. “As I have said, Mr. Jeyanayangam produced notes that he said he took during the course of the April 29th meeting. I have annexed a typed version of” his “notes and a handwritten version as Appendix A to this report.” The commissioner says, “I am skeptical as to the legitimacy of these notes.” Take heed, my Liberal friends. He is skeptical as to the legitimacy of those notes.

“Perhaps my skepticism is in part caused by my concern as to why this meeting at Chalmers was held in the first place and why” he “was invited to participate.” I make mention of this. Farther down the page, “Notwithstanding my skepticism about Mr. Jeyanayangam's notes, having regard to the standard of proof—clear and convincing evidence—I am not satisfied that the evidence establishes that the minister was engaged in the management of a business carried on by a corporation. There is, however, no doubt that the minister was egregiously reckless in participating in the April 29th meeting at Chalmers. He virtually invited a complaint by his conduct.”

Note the use of the words “egregiously reckless.” When I use the word “egregious” in this assembly, I use it to make a point. It's a point of emphasis. It doesn't say it was really, really bad. When you use “egregious,” you manifestly add so many adjectives about how really, really, really bad it is. “Egregiously reckless” is strong language used by the commissioner. I say this as a non-lawyer, but we all understand that when we use language it has weight when you use certain words. The weight of these words was “egregiously reckless in participating” in that “meeting. He ... invited a complaint by his conduct.”

It goes on, on page 28: “Any inferences that I might draw from evidence that I accept must not be speculative. It seems to me that were I to conclude that the minister engaged in the management of a business, particularly on April 29th, I would be trespassing on the ground of speculation. I can find no more than an error in judgment, that is negligence, on the minister's part. I therefore conclude this aspect of the complaint has not been established.”

Remember, the commissioner is saying it would be speculation to talk about what happened on April 29, but he does say that this is an error in judgment and that it is negligence. Usually, when an Integrity Commissioner uses that kind of language, we call for the resignation of that member, as indeed Monsieur McGuinty did when he was in opposition. For the record, and for my and your enjoyment, Speaker, I will quote Mr. McGuinty with respect to what he had to say about others in the past.

Found him in conflict—this has to do with Monsieur Leach. There was no reprimand, but McGuinty called for

his resignation. Here is what the Integrity Commissioner said: “The Integrity Commissioner found that the minister,” mon ami Monsieur Leach, “is in breach of the legislation that governs our behaviour. He said that the minister has broken the law. It seems to me that in those circumstances what the Premier should have done today is he should have stood in his place and said that he has asked for the resignation of the minister, and to that he should have added that he accepted that resignation.

“Based on what he has just told this House, he should then have added that he asked for the resignation of Ms. Cunningham and the resignation of Mr. Runciman, because they too, in keeping with the finding laid out in this decision, are clearly in breach of the law. They have done something which is unacceptable, which is inappropriate and, most important of all, which is unlawful. That is very, very clear. What the Premier should have done is said that he senses that something fundamentally wrong has happened, that he is not going to allow it to stand and that he is going to take the necessary steps to ensure that the consequences are felt so that all members of his government understand the seriousness of this matter.” June 25, 1997.

There's so much more that I would love to read for your pleasure, Speaker, and mine and for those who are listening, but perhaps I'll continue with some of the quotes of Mr. McGuinty on other breaches of the integrity act when I have an opportunity, which I am sure I will have again this afternoon or perhaps another day.

Mr. McGuinty, when he was in opposition, had no problem asking for the resignation of members when they were in breach of the integrity act. I have outlined today how this minister was in breach of the integrity act. Mr. McGuinty keeps on saying the opposition takes some facts and doesn't include others, and then he goes on to do the same. He takes some comments and omits the others. He wants it both ways. He wants to accuse the opposition of taking some parts of the report, then he uses other parts of the report, omitting the parts that we, as opposition members, raised. What I tried to do today, Speaker, for your benefit and for those who are watching and for the Liberal members in this place, was to quote from the integrity report as much as was relevant.

Laughter.

Mr. Marchese: Monsieur Levac, mon ami, laughs. I included comments made by your Premier and comments made by us, that is, made by the Integrity Commissioner. I included both what your Premier likes to add in this debate and what he forgets to mention that is clearly, manifestly articulated by the Integrity Commissioner. I'm sure Dave Levac is going to stand up and point to other relevant facts that I missed.

Mr. Levac: What's the conclusion? What did he say?

Mr. Marchese: The conclusion is—I will get to it in a second, because I only have one minute. The conclusion is a reprimand, and that is one of the possibilities that the Integrity Commissioner has. A reprimand is a serious matter. He well knows that the one who calls for the resignation of the minister is the Premier and not the

Integrity Commissioner. That job remains in the hands of the Premier. To be reprimanded, to be in breach of the integrity act, to be told that you have engaged in "egregiously reckless" behaviour is a serious matter. For that, the minister should take responsibility, but more importantly, the Premier should do the right thing and do what he called on other members to do when he was in opposition: to resign when they were found in breach of the integrity act. We call for the same.

Mr. Frank Klees (Oak Ridges): I don't take pleasure in participating in this debate this afternoon at all. I do see it as my responsibility, and it's in the context of my responsibility as a member of this Legislature that I want to address three aspects of this issue: First is the responsibility of Minister Takhar, second is the responsibility of the Premier and third is the responsibility of this House and every member of this Legislature with regard to this very important issue.

First let me say that in hearing the debate and the reaction and responses to the Integrity Commissioner's report relating to the breach of the Members' Integrity Act by the current Minister of Transportation, it has been extremely disappointing to hear the arguments in support of Minister Takhar. I don't speak to this on a personal level, because on a personal level, I don't believe any member in this place wants to see another member in any way damaged politically or personally. But I also have to believe that every member of this House wants to see the reputation of the Legislature and of the position of an elected member and of the position of a member of the executive council protected. That is our responsibility.

1610

I listened very carefully when the Minister of Transportation spoke in this House in his own defence. While he spoke with a great deal of emotion and while he very clearly admitted to members of this House that he, in fact, did transgress the Members' Integrity Act, and said, and I quote him from Hansard, "I made the error, but it was not deliberate, and the findings make it clear that there was never any intent to circumvent the rules, nor any implications of personal gain of any description whatsoever," yet the minister did say that he was in error. He goes on to say, "I made an error in judgment by attending the meeting at this location," referring to his former place of employment. Again he said, "The third matter dealt with my failure to inform the Integrity Commissioner when the trustee of my management trust also became the CFO of the Mississauga Centre riding association." He said, "I should have told him about this change, and I agree." He goes on to say, "The words of the Integrity Commissioner" relating to the report "have taught me a very valuable lesson, and I want to thank him.... I apologize for not informing him, and I take his recommendation of reprimand very seriously."

Apparently the minister does not take it seriously enough. When will we learn, in this place, that the only way that we will be able to regain the integrity that has been consistently lost by people in elected office is by admitting to wrong and then taking voluntarily the just

consequences of that wrongdoing? When will we learn that? What I am so very disappointed about is that, as members collectively, we somehow are unwilling to admit that by allowing this matter to simply go through a technical process—and because the Integrity Commissioner somehow has not, in his wisdom—somehow we justify that. By the way, it is not within his jurisdiction to ask for any further steps to be taken relative to the minister's position.

I hear members of this Legislature saying in debate, "This is not an important issue. This is not a matter that is so significant that the minister should resign." I suggest that as people who observe the debate in this House hear those kinds of comments—even the individual representing the minister in his defence with the Integrity Commissioner tried to argue that the allegations were frivolous and vexatious and were not made in good faith.

I want to read into the record the words of the Integrity Commissioner, who says: "I see absolutely no basis upon which to accede to Mr. Siegel's submissions that the complaint be dismissed as frivolous and vexatious or not ... in good faith. The allegations made as related to ss. 10 and 11 of the act require an answer or an explanation. This complaint is manifestly not frivolous and vexatious or made in bad faith."

The conclusion of the commissioner was, in fact, as follows. In the commissioner's report he states very clearly, "I conclude that the minister has breached section 11 of the act and parliamentary convention associated with the establishment of management trusts by allowing Mr. Jeyanayagam to continue as his trustee after he became treasurer of his riding association and by failing to disclose that Mr. Jeyanayagam was his CFO under the Election Finances Act."

The conclusion of the Integrity Commissioner was that the minister breached the Members' Integrity Act.

I'd like to discuss the whole issue of what the responsibility is here, I believe, of the minister. He stated in his remarks here in this House that he finds it a privilege to serve. He spoke about the freedoms and opportunities that this province has afforded him and his family. What I believe the minister has failed to do by simply relying on a technical defence of his actions, even though he admits that he did wrong, even though he admits that he transgressed the integrity act, is that he stopped short of doing the right thing. He stopped short of acknowledging in a practical way that he in fact has misconducted himself as a member of the Legislature. The right thing for Mr. Takhar to have done when he received the report of the Integrity Commissioner was, yes, say as he did, "I did wrong. I breached the act, and although there is no requirement by the commissioner for me to do anything beyond that, I will voluntarily step aside, as a minister of the crown, as an example of what elected members and ministers of the crown should be doing by way of conduct."

Had the minister done that, he would have had the respect of every member of this Legislature. He would have had the respect of everyone in his constituency and

in fact every person in this province. It would have been an example to others. It would have been an example to other ministers. It would have been an example to every other elected person not only across this province but the country. But he failed to do that, and that's disappointing. I believe it was a missed opportunity for the minister.

I want to take this opportunity to read into the record a report from Nova Scotia, where the Minister of Economic Development resigned just last Thursday, which reads as follows:

"Halifax ... Nova Scotia's Minister of Economic Development resigned Thursday after admitting he was in a conflict of interest regarding a government loan to a potato farm."

He is quoted as saying this, and hear this, members: "On reflection this week, I now believe that I violated the ministerial code of conduct by being in a conflict of interest...."

"I realize now that I have made a mistake. I accept full responsibility for that, and I apologize to Nova Scotians and my colleagues in the Legislature."

He tendered his resignation to the Premier and he resigned. Mr. Hamm, in a statement, made this statement, "Mr. Fage is an honourable man."

The man did not break the law, and technically he did not have to resign. The matter is still being investigated by their Integrity Commissioner. But before there is even an opportunity for the commissioner to render a decision, which may well come out saying that no technical breach has taken place, that the minister did not benefit personally in any way or that there was no intent, the minister resigned, and he did so because it was an honourable thing.

1620

I would like to speak to the issue of parliamentary procedure and convention. I'd like to refer to a book written by probably one of the strongest authorities on parliamentary procedures and conventions that we have in Canada, Senator Eugene Forsey. In his book, entitled *The Question of Confidence in Responsible Government*, he makes the following statement regarding the responsibility of individuals and the role and the appropriate responses of ministers:

"Notwithstanding the pre-eminent place of the Prime Minister"—in this case, it would be the Premier—"in sustaining or sacrificing ministers under attack, there does seem to be a universal acceptance of the proposition that where personal culpability on the part of a minister is shown in the form of private or public conduct that is generally regarded as unbecoming and unworthy of a minister of the crown, the expectation is that the minister should tender his resignation."

The book cites lots of examples of issues like that. I submit to members of this House that that is precisely what Minister Takhar should have done, not to claim that he didn't know—and by the way, as you know, I served as a minister of the crown as well. Other ministers here will know that, upon being appointed as a minister of the crown, we all get a letter from the Integrity Commis-

sioner. Every minister receives that; in fact, every member gets a letter from the Integrity Commissioner. In that letter, the Integrity Commissioner makes it very clear, draws to the attention of every member and every minister just appointed, that there are specific issues within the Members' Integrity Act that they should make themselves aware of, particularly when it comes down to the issue of how you conduct yourself with regard to the trustee, and the requirement and the process within which we are required to set up a blind trust.

Minister Takhar received that same letter. What Minister Takhar has claimed in his statement to this House is that he didn't know that the things that he did or failed to do he should have done and that they were a transgression of the act. Since when, as lawmakers and as examples to other Ontarians, can we as members of the Legislature claim as a defence that we were ignorant of the law or that somehow, because we didn't know that's what we had to do, everything is okay? Speaker, I submit to you that that's unacceptable.

Again I call on the minister to do the honourable thing. He still has time to do that. He still has time to save not only the integrity of his position but the integrity of his government and the integrity of the Parliament of this province by doing the right thing. By failing to do that, he continues to send the message to the public out there that as politicians, we're going to get away with whatever we can as long as technically, somehow, we can cover the bases and ensure that people will eventually forget. It's a missed opportunity by the Minister of Transportation; I suggest that it's a missed opportunity by the Premier, because the Premier ultimately has the responsibility to protect the integrity of his government and the integrity of this place.

I would like to draw attention to words found in the throne speech when this government, on November 20, 2003, asked the Honourable James K. Bartleman to read their vision for this province. Under the heading entitled, "Government That Works For You," on behalf of this Premier, our Lieutenant Governor read the following:

"Your new government has made a commitment to bring an open, honest and transparent approach to government...."

"It will open up government and its agencies, bring the voices of Ontarians to Queen's Park, and make the entire public sector more transparent and responsible to Ontarians, because transparency and accountability are the best safeguards of public services."

Then it goes on to say, "All ministers of the crown will be expected to consistently attend question period, and be accountable to the Legislature."

I suggest that this government has come a long way. I suggest the Premier may well have forgotten those words, because by not asking the minister to resign as a member of the executive council, he has failed to live up to that. I'm suggesting that we as members of the Legislature will also fail to live up to our responsibility if we don't do whatever we can—and we will be collectively indicted if we don't do whatever we can—to protect the

integrity of government by ensuring that we do not let this matter rest and that the minister will in fact be called upon by every member of this Legislature to do the right thing, not as punishment but in the interest of protecting this institution and restoring credibility to this place.

To that end, I'm going to ask that we take this debate one next level. I'm going to move an amendment. This motion reads:

"That the Legislative Assembly adopt the report of the Integrity Commissioner dated January 4, 2006, and approve the recommendation contained therein."

I want to add the following amendment to that motion:

"and that the subject matter of the penalties available under section 34 of the Members' Integrity Act be referred to the standing committee on the Legislative Assembly."

I present this amendment to the table.

The reason for that is that I believe it is simply not enough—

The Deputy Speaker: Would the member for Oak Ridges just stop for a moment while we have a look at the amendment? I'm going to repeat the amendment. The amendment is: "and that the subject matter of the penalties available under section 34 of the Members' Integrity Act be referred to the standing committee on the Legislative Assembly." I remind the members that we are now speaking on the amendment.

Mr. Klees: I have moved this amendment because I truly believe that it's important for us as members of this Legislature to ensure that every opportunity is given not only to the minister but to the Premier and to this House to consider the importance of the issue before us and to ensure that the right thing is done—that the right thing is done for the minister, that the right thing is done for the people of Ontario. At the end of the day, if we do not do that, there is an indictment on every member of this Legislature. We will have missed an opportunity to make a strong statement that it's not business as usual, that we all respect the privilege that we have to serve the people of Ontario, whether it be as a member of the Legislature in opposition or as a cabinet minister.

Ms. Andrea Horwath (Hamilton East): I was all ready to speak on the main motion, and now I'm in the position of speaking on the amendment. I'll probably focus on the amendment but also likely bring in some of the other issues, because I think they're very relevant to the amendment that's before us.

If I'm not mistaken, the amendment is seeking to have a committee review what the penalties are in such cases when the integrity act has been breached or when there has been a cause for the Integrity Commissioner to indicate that penalties should be put against a member for breach of the act.

It's interesting. It reminds me of some of my own personal experiences when I was growing up. One of the things that my parents, my mum in particular, had always ingrained in me as an individual was that you always know when you've done something wrong. You can feel it in your gut; you know in your stomach when you've

done something wrong. That really is integrity. That's the reflection of your integrity, when in your gut you have made a mistake and there is that little voice that's telling you that you've made a mistake.

It seems to me that one of the things that is missing in this whole process is the opportunity for people to take that sober second look at what they've done or what they are alleged to have done, particularly if there has been a report by the Integrity Commissioner that indicates that there has been a breach of the act. If a person is not in a position to, with all openness, indicate that they have that gut feeling that they have, in fact, done something in breach of the act, then I think what this amendment is trying to do is say, "Let's create a situation where it's not just an open-ended question as to whether there will or won't be a penalty and what it will or will not be, but in fact a committee be charged with the responsibility of determining exactly what kinds of penalties will flow from what kinds of breaches to the act." At least, from my reading of the amendment, that seems to be what is being suggested here.

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I have to say that had this member—any member. When I look at all of the documentation of the various times when this has occurred—of course, being fairly new to the House, this is the first time where I personally have been in this House when this kind of situation has occurred, but certainly the records show that it's not the first time that it has ever occurred. What doesn't seem to ever be happening is a satisfactory conclusion to many of these incidents. In fact, it seems that many of them simply swirl and swirl around, to no conclusion that's ever brought that's satisfactory to most parties here in the Legislature and, most importantly, to the people of the province of Ontario, to whom we should be at all times most respectful. We should be most concerned about their criticisms or their view of how we behave in this House and how we do or do not undertake responsibility for what's required under the integrity act.

When one looks at one's self in the mirror and gets that gut feeling and says, "You know, I really have done something wrong," then of course the easiest way to deal with it, the most efficient way to deal with it and the best way to deal with it is the way that my family taught me to deal with it. The way my parents taught me to deal with it as an individual was that you simply admit your mistake, apologize for your mistake, learn from your mistake and then hopefully you move on and continue in your work and not make that mistake again. It seems like such a simple response. It seems like such a simple method of addressing these kinds of problems. But unfortunately, there are all too many examples of when that hasn't happened.

We're in the situation this afternoon of initially debating the actions of the Minister of Transportation, which were reviewed by the Integrity Commissioner and noted in his report of January 4. I'm not going to go into any great detail on that report. Anybody who has tuned in this evening has noticed that there has been a great debate

about that, a detailed review of the various passages in the report. In fact, my colleague from Trinity–Spadina, Rosario Marchese, did an excellent job of reviewing the details of the actions that took place as well as the analysis that was done by the Integrity Commissioner and then, of course, flowing from that, the recommendations of the Integrity Commissioner in regard to that analysis.

The problem is that not only did the honourable minister not behave in a way that could have reduced the anxiety around this situation, that could have put a stop to the speculation and criticism, but then, not having done that and his not having had any real reprimand or repercussion from the Premier, we're now in the situation that we're in where this is being debated, where amendments are being brought and where the whole issue is continuing to cause the time and effort of the members of this Legislature to be used on it rather than some other important business that likely needs to be done in this very House.

It's unfortunate, because the Premier in fact did promise to set a higher standard when it comes to members' behaviour, particularly when it comes to integrity and the way that members are judged by both the Integrity Commissioner and their peers in regard to their ethical behaviour. In fact, the Premier was going to raise the bar when it came to these kinds of issues. Unfortunately, in reality, the bar has been set so low that we could step over it without even tripping. In fact, when I was thinking about this a little bit earlier today, knowing that I'd be speaking on it this afternoon, it brought to mind—in my mind sometimes I visualize: “Let me have a visual for what that bar looks like.” It's like the bar is so low that you couldn't even do a limbo under it because there's just no way you could get under it. That's part of the problem we have in front of us now. That's why, I think, the frustration that people have in this House has led to this amendment being put, because what it is saying is, if the Premier is not prepared to make good on this promise in terms of setting a higher standard, setting a higher bar, then the House should set a committee the responsibility of doing exactly that.

I'm not experienced enough—and I'm happy to admit that, and I've certainly got no bones about the fact that I'm not experienced enough at this House yet—to know whether or not that's the most efficacious way of dealing with this particular problem or concern. But what I do know is that, this being my first experience with this kind of situation, it's very frustrating. There's a great deal of frustration, not only from the members of the Legislature but from the community, from the people of Ontario, because it's almost like just another letdown, that once again people have had expectations set about the behaviour, about the integrity of their elected officials, only to find out that, yet again, there are no repercussions or nothing is done when there's a breach of the integrity act. It's not just an accusation; again, this is something that did occur, that the minister has admitted has occurred, that the Integrity Commissioner has taken the time to

investigate and to come to the conclusion that there was a breach of the act. So it's not speculation that any of this problem exists; it does exist, it's documented that it exists, and it's also documented that a reprimand of some sort needs to be made.

Unfortunately, that's where we've run into a bit of a brick wall, and that's what has led to the amendment that was just put forward by the member from Oak Ridges. In so doing, he raised, quite interestingly, a situation where the opposite occurred. In another province of this great country a similar situation occurred, but instead of it going down that road where the minister actually did more of a procedure that I had described earlier, one that says, “You know what? My gut tells me I made a mistake. So what do I do? I admit to the mistake, I apologize for the mistake, I learn from the mistake and I move forward, hopefully not only not to make that mistake again, but to demonstrate good, positive, decent behaviour of integrity of an elected member”, unfortunately, that wasn't done in this case. If it had been done, we probably would have saved ourselves a lot of precious time in this Legislature. Not only that, now we're in a position of having to, out of the frustration of the member from Oak Ridges and many other members of this Legislature, charge a committee with the responsibility of further fleshing out how it is that we go about determining what the repercussions should be, should there be a breach of the integrity act.

I think that there are a couple of things that need to be said about this. Again, sometimes “Just apologize and demonstrate good behaviour” seems like such an easy thing to do; the kind of “Be proactive” way of dealing with things seems like such an easy thing to do. But you know what? Maybe it's not such an easy thing to do. But when that's the case, then it's incumbent upon the government, incumbent upon the Premier, who made promises in this regard, to restore the faith in the political process; to hold the minister to the higher standard that was promised during the election campaign. Unfortunately, that's not happening, so residents of Ontario get the sense that there's all kinds of activity happening in the back rooms as to how to make sure this particular minister is able to keep his position and not resign. Really, it should be the opposite; there should be an open and transparent process by which the minister is brought to some kind of reprimand or some kind of result for the behaviour that he has engaged in that is in contradiction to the integrity act.

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I guess that's the other frustration that people have, that there is an opportunity—if the minister is not prepared to take that proactive step himself, then an immediate proactive reaction by the Premier would have been in order. That not only would have, I think, reduced the concern about the situation, not only fulfilled a campaign promise around integrity and behaviour of ministers and members, but it also would have sent a clear message to other ministers and other members about what is and is not acceptable in terms of behaviour

from the Premier. So it would be a way of saying to others: "Here's what happened. It's not acceptable. This is what the result is of this kind of behaviour." Ergo, there would be less of that kind of behaviour because people would see, from example, that it's not acceptable and that in fact swift action would result should the requirements of the integrity act be breached by ministers.

But instead, nothing was done. Unfortunately, now we're in a situation of dealing with this breach of the integrity act in a very unpleasant way, a very public way and a way that hopefully, through this learning experience, will lead to some changes in the future. If the vehicle for that is the movement of this particular function to a discussion at a standing committee, then so be it.

It seems to me that something has to be done to take this whole idea of reprimand, the sanctioning of inappropriate activity—bad behaviour, if you want to call it that—to the next level. Unfortunately, it doesn't seem like Premier McGuinty is prepared to undertake that kind of activity, not prepared to put the ministers on notice that it's not acceptable, and is therefore not prepared to do what is necessary to restore public confidence in the integrity of our elected officials here in the province of Ontario.

So, with the lack of decisive leadership by the Premier, we're now in a situation of perhaps, if this amendment is passed, moving the leadership on these issues to recommendations that would come out of a committee process. Again, I don't necessarily think that is a bad thing; in fact, with lack of anything else going on in terms of the situation, it's probably a good thing.

One of the things we need to recognize and acknowledge is that this is not the first time this has happened. This is not the first minister who has gotten into hot water. The sad thing about it is that this is not the first government that has had to face this kind of challenge. When the previous government was in office, the Premier himself was very critical—of course, he was in opposition at the time and wasn't sitting as the Premier—and others have raised this issue as well. He was very critical of a number of members on the government side of the time, the Harris government and the Eves government, and also criticized the lack of action by that government in regard to breach of integrity matters and poor public behaviour, if you will, behaviour that reflects poorly on ministers and on the government.

I have several quotes, but I think many of them have already been read into the record in regard to this debate. So, instead, what I would like to do is read out some of the commentary that has come from our government watchdogs in the media. I wanted to just read a couple of these things in, because I think this is what we always have to remember when we are determining how to deal with these issues. It's certainly the requirement, the responsibility, of the individual member to make those calls and to resign if these incidents occur. Failing that, certainly quick and decisive action by the Premier of the day is required. But if none of that happens, you really do start to erode the confidence that the public has in the

integrity of the people they elect and put into this House. The *London Free Press* on January 8, 2006, a mere four days after the report was issued, had this to say:

"Given the gravity of Ontario Integrity Commissioner Coulter Osborne's finding in the case of Harinder Takhar, the transportation minister should resign his cabinet position....

"For violating the Members' Integrity Act, Osborne recommended a reprimand. But given the moral imperative of ethics in government, Takhar should instead resign." Again, that was not done, and unfortunately the Premier didn't see fit to do something about that.

The *Toronto Star* a couple of days prior, said this: "After a seven-month investigation, Ontario Integrity Commissioner Coulter Osborne has issued a damning report on Transport Minister Harinder Takhar that concludes he committed a 'serious' breach of the Members' Integrity Act by failing to maintain a proper arm's-length relationship between his business and political interests.

"While Osborne cannot call for Takhar to be dumped from cabinet, he did recommend the minister be reprimanded for his actions....

"McGuinty is wrong to argue that the reprimand by Osborne is 'significant' and enough punishment.

"The people of Ontario deserve to be served by cabinet ministers who act in accordance with that preamble. That's why Takhar should resign."

I would further add, that's why the Premier should have taken some action; he unfortunately didn't. Following that, that's why we're now debating an amendment that would see a committee put in place or a committee that exists charged with the responsibility or the job of further fleshing out or further determining what kind of repercussions should flow from breaches in the integrity act rules.

Again, in the *Windsor Star* of January 14, 2006: "The facts speak for themselves. Coulter Osborne, Ontario's Integrity Commissioner has ruled Transportation Minister Harinder Takhar broke rules outlined in the Members' Integrity Act. Specifically, that Takhar failed to properly sever his ties with the individual the minister had entrusted to oversee his personal business assets....

"Osborne's conclusion was that Premier Dalton McGuinty should reprimand Takhar. The inference seemed to be that Takhar should be removed from cabinet—and that would be a fitting punishment in this case.

"However, McGuinty says he won't take any action against Takhar because his minister has already been punished enough as a result of Osborne's report....

"But it is also quite clear that Takhar broke rules. Rules that are in place to instill confidence in the integrity of an MPP, and particularly a cabinet minister."

So I don't think it's too late. I think the Premier can fix this. I think the Premier can do the right thing and do what is expected by the people of Ontario, which is to have Mr. Takhar removed from cabinet and stop this charade right away.

Mrs. Linda Jeffrey (Brampton Centre): Speaking to the proposed amendment on the floor from the per-

spective of a relatively newly elected member of provincial Parliament, I hold the greatest respect for the Office of the Integrity Commissioner. I know the office was created to uphold high standards of ethical conduct in the public service. I know the office also assists members of the Legislature in keeping the public interest in the forefront, against which individual members' right to privacy must be weighed. The office attempts to guide elected members of provincial Parliament on how the Members' Integrity Act, 1994, impacts on their day-to-day activities and also ensures compliance with financial regulations.

I believe the role of the Integrity Commissioner is to promote public confidence in the integrity of each member and to maintain the respect society holds for the Legislative Assembly and its members. As a relatively new MPP, the Office of the Integrity Commissioner has been particularly useful in helping me navigate through the rules, providing support and direction. How to deal with lobbyists who come before you, whether or not they're registered—those are issues that new members are not familiar with, and when you deal with municipal issues, you don't have the same responsibilities.

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The commissioner regularly provides guidance and reinforces our responsibility as elected members to maintain high standards of ethical conduct. The office is meticulous in their research, and I have found them to be very timely in their recommendations. I have consistently been able to draw upon the Office of the Integrity Commissioner for instruction and guidance. Their ability to identify boundaries and conflicts of interest helps hold me and all members of this Legislature accountable to our constituents. With many extensive reports the commissioner has released on members from all sides, we all have the opportunity to learn how to prevent ethics transgressions before they occur.

The Deputy Speaker: Further debate? The member for Lanark—Carleton.

Hon. Jim Watson (Minister of Health Promotion): On a point of order, Mr. Speaker: I'm sure the member from Lanark will appreciate this point of order to inform the House that Canada's women's hockey team just won the gold medal 4-1, and we're very proud of them. So congratulations to them.

The Deputy Speaker: I just want to check to make sure—and the table will help me—that there was no indication that we were going to—okay. Thank you. We know what we're talking about up here, even if you don't.

Member for Lanark—Carleton.

Mr. Norman W. Sterling (Lanark—Carleton): Like many other members have said, this is not a happy moment when one talks about an integrity report and a criticism of one of the members of the Legislature.

My particular concern with regard to the Premier's reaction to the Integrity Commissioner's report goes deeper than this one report. I have observed over the last two and a half years that this Premier does not under-

stand his duty to the institution of Parliament, the institution of our justice system, and that worries me much. As politicians, as MPPs of this institution of Parliament, we have two duties. We have, of course, our duty to our constituents, our loyalty to our party, our ability to play the political game with regard to the thrust of the debate. We have the duty to represent the opposition's view of legislation. The government has the obligation of putting forward legislation, of running the government of Ontario. But we also have another duty, and that is, we have to step above the political element from time to time and say, "We must protect the integrity of the institution. We must protect the integrity of politicians in general." I have seen a demonstration by this government and this Premier that he does not understand that second duty.

Perhaps I have had, in some ways, a more relevant experience with regard to a dual duty in my past. As you may know, I have served in a number of government cabinet portfolios, but in one of those particular portfolios I held a dual duty and that was as the Attorney General of this province. The Attorney General of the province, notwithstanding that he or she is a member of cabinet, also has a duty to the Legislative Assembly to tell cabinet, to tell the Premier when he's stepping out of his bounds with regard to the laws of Ontario or the rule of law, and this doesn't seem to be happening in this present government.

The very first indication I had that this Premier did not understand what the institution of Parliament was about was on the election of our first Speaker. I was amazed that before we even met in this place to elect our first Speaker, Mr. Curling revealed to the press that he was going to be Speaker, that the Premier had told him he was going to be Speaker. As you know, in 1990 this institution had legislation passed in which we said that the Speaker was going to be elected by the assembly. This was the first indication by the new Premier, Dalton McGuinty, that he was going to lay a heavy hand and play politics where politics were not supposed to be involved.

The second thing that he did—well, actually, it was probably a tie with regard to the election of the Speaker of this place—was hire the former auditor of Ontario to undertake an audit of the previous government. The Auditor General is part of the institution of Parliament. He is supposed to be non-partisan and objective in what he does. When Mr. McGuinty hired Mr. Peters, the former auditor, to do an audit of the previous government, he put Mr. Peters in a terrible position. I don't think Mr. Peters should have ever taken the job, quite frankly, because I think that he has done great harm to his long-term reputation as an objective Auditor General in the past. He hired the Auditor General, who retired on September 30 with a deputy minister's pension, for \$1,500 a day on October 1 to do a consulting job.

The Premier and his staff did not understand, nor do they understand, that the Auditor General, the Integrity Commissioner, the Ombudsman, the Privacy Commissioner and the Environmental Commissioner are all independent and objective parts of this Legislative Assembly.

This Premier and his ministers have on several occasions disregarded and attacked these individual commissioners. I'll mention another one where one of his ministers attacked one of the other independent commissioners in the past.

I mentioned the election of the Speaker. I mentioned the hiring of the former auditor for political purposes with regard to looking at the books of the former government. I want to talk now about some of those broken promises made during the election, things like allowing MPPs to have more free votes. We've had probably about 500 votes in this Legislature with regard to second and third reading of various pieces of legislation outside of private members' hour, and there's only been one occasion that I'm aware of where the governing party actually had three members vote against a piece of their legislation—and it had to do with a very local matter with regard to some of the MPPs from Brampton.

The people out there want to have more trust in us; they want to have more trust in their politicians. So if we don't uphold our institutions, if we don't keep the words that we say during an election campaign and we break those promises, we hurt this institution very, very severely.

Another matter on which the Premier has failed this institution is with regard to the whole matter of the former finance minister, Mr. Sorbara. He held on and held on until a police investigation took place. In my view and in the view of former Premiers of this province, what would have happened and did happen in former governments is that those ministers immediately stepped aside and waited until the investigation, the inquiry, the matter before the Integrity Commissioner was completed and then the minister would return to cabinet if, in fact, nothing became of that inquiry. This Premier continues to play the political side rather than recognizing his duty with regard to upholding this institution and taking the higher road, the straight road, when necessary.

I mentioned before the attack on another commissioner, and that happened last year, by the Minister of Community and Social Services, when the privacy commissioner stood up and disagreed with the adoption disclosure legislation. Instead of the minister standing in her place and saying that there is another view, "We disagree with her view," what this minister and this government did was that they attacked the office of the privacy commissioner. They said that she had no jurisdiction in legislation, which was technically correct, but the commissioner had every right to make comment with regard to policy and what the government was doing with regard to privacy concerns. As well, as you know, every other privacy commissioner in Canada agreed with our privacy commissioner, notwithstanding the government's disagreeing with that particular person.

1700

Another area where this government has disregarded this institution and the processes of Parliament to ensure that fairness occurs is with regard to our elections. We have passed a bill here, which the Progressive Conserv-

ative Party voted against. We are going to have the next provincial election, unless it goes to court before that time, and it's going to be the first election in over 50 years where we've never had an electoral boundary commission setting the boundaries for our election constituencies. "Gerrymandering" is what I call it. Gerrymandering is what in fact took place. This government, in order to fulfill a promise to the north to have more seats in the north, said that instead of going through a boundaries commission to set up boundaries right across Ontario to have 11 seats in the north, which follows a bill that I introduced in the Legislature, decided instead that they would gerrymander the boundaries and set them down in legislation without an electoral boundaries commission. That is why I feel that the main motion to consider this matter is in some ways inadequate and that we should have further discussion of this at a committee in accord with the amendment put forward this afternoon by my colleague from Oak Ridges.

As well, this Premier and this government have forgotten about some of the very basic institutions of our civilization here. I've talked about a number of concerns I have about their defending the institution of Parliament. We saw a piece of legislation come here with regard to the Adams mine some time ago. Papers across this province lambasted Dalton McGuinty for abrogating his support of the rule of law. What we did in that legislation was that we took away an individual's right retroactively. That is why I could not support that particular piece of legislation.

Another matter that really gets to me with regard to this government's penchant for going to the political element: Rather than sitting back and thinking, "Hey, we have to, in this case, protect the institution, be concerned about the public's overall view of politicians," what this government did with regard to its reaction to my leader's request of the Integrity Commissioner to look in this matter is an interesting case in itself. People haven't talked about the Integrity Commissioner's report from the standpoint of what took place after June of last year, when my leader put forward his request that the Integrity Commissioner look into this matter. What happened was that Mr. Takhar's solicitor immediately said to the Integrity Commissioner, "I don't want you to look into this, because we think this is a frivolous matter." There's a section in the integrity act where the Integrity Commissioner can just say, "Somebody is just being very political in their attack on a member of the Legislature and therefore it's frivolous and vexatious."

I don't think anyone who had the basic facts of this—and I assume the Premier had the basic facts that the meeting took place in the minister's place of business—could say that this was frivolous and vexatious. I think that the immediate defence that the minister put up and the government put up to protect their minister shows their lack of appreciation for the process and for the Integrity Commissioner's office. Interestingly enough, one of the very clear findings of the Integrity Commissioner was that this was not a frivolous and vexatious claim against Mr. Takhar.

I guess the other part of the process that bothers me is that our party was trying to get to the bottom of what actually happened with regard to the records with regard to Mr. Takhar. It took some seven months for them to respond, under a freedom-of-information request for various different documents and papers. That shows me that this government didn't want to come clean on this matter. They wanted to do everything they could in a political way to shove off, to obstruct, to meddle in the Integrity Commissioner's mandate and his report. They wanted to sweep it under the carpet. They thought they could get away with this by their normal political interference with regard to this matter.

I also think, for those members who have not read the report, that they should actually read the report. It's not only what the conclusions of the Integrity Commissioner were with regard to the arm's-length relation between the minister and his CFO, his business partner. That was not the only question in the report—there are some real, lingering questions in the Integrity Commissioner's report about the minutes that were kept at the meeting with regard to the CFO's minutes.

When you read the report, you start to think—and Mr. Takhar said that there were other meetings with regard to which he had gone to Chalmers, his place of business—there were real questions there. I think the Integrity Commissioner said to himself, "If I come out with this particular report, it's a slam dunk that this minister is going to resign." I haven't talked to him about it, but that's what I believe he must have said to himself when he was writing this report, because he said that he didn't need the inquiry to go much further into the background of it. As you know, under our act the Integrity Commissioner does not have the right to subpoena records; he doesn't have the right to demand records; he can't get witnesses in front of him. All of it is done on a volunteer basis, more or less.

I think there are enough questions in the integrity officer's report to really have questions as to whether all the facts are there or they're not all there. Notwithstanding that, I believe that the real failure lies at the feet of Dalton McGuinty as the Premier of this province and his unwillingness to recognize his duty as the Premier, as the leader of this institution, to protect this institution and protect the participants in it: the politicians in this institution.

We have seen, over the two and a half years of the McGuinty government, a Premier who is willing to forget his duty to the institution. He is willing to forget that we have officers of this legislative body who should be respected and their opinions should be respected. When they in fact find against the minister—we have never had, since the act was created in 1994, an Integrity Commissioner finding against a minister—I'm certain that that Integrity Commissioner must have thought that the Premier of the day would act on his particular finding.

Again, it is unfortunate that Mr. Takhar did not understand the rules which he was obligated to follow as the minister of the crown. But that cannot be an excuse and,

as a result, it is absolutely necessary for this Premier to take action on this matter.

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Mr. Tim Hudak (Erie—Lincoln): I'm pleased to rise in debate on the amendment to the motion. Actually, I regret that we have to be here to participate in this debate. It seemed elementary. It seemed like everybody's expectations were rational, that the Minister of Transportation, having been found in violation of the Members' Integrity Act and being reprimanded by the Integrity Commissioner, would no longer find himself in cabinet. It seemed like a basic tenet. It's not even a high standard. But the fact that Dalton McGuinty has refused to relieve this minister of his duties, that he continues to serve in cabinet, shows that Dalton McGuinty has not only lowered the bar, he has eliminated the bar altogether.

It was no trivial report by the Integrity Commissioner. There's some very strong language that I think members of the assembly, if they haven't already, should draw attention to. The Integrity Commissioner described Minister Takhar as having displayed "negligence," "being egregiously reckless," and concluded that his conduct had violated the Members' Integrity Act.

Throughout the Integrity Commissioner's report he seems to indicate that he didn't put a great deal of credibility in the statements of the minister or his trustee. For example, regarding evidence from a lawsuit against Minister Takhar prior to Minister Takhar becoming a minister, evidence that Mr. Takhar said he had never worked at Chalmers, the Integrity Commissioner says, "the evidence from the lawsuit started by the minister's uncle establishes that, at least in the capacity of a consultant, the minister worked for the Chalmers Companies and that he did attend directors' meetings," in the 1990s. The Integrity Commissioner says, "It does, however, undercut the evidence of Mrs. Takhar and" the trustee, "both of whom stated that the minister 'never' worked at Chalmers."

Again, of the so-called witnesses, those who made sworn testimony, it seems the Integrity Commissioner has good reason not to believe everything that they put forward.

Similarly, regarding notes of the April 29, 2005, meeting taken by the trustee, the Integrity Commissioner says in his report, "I am skeptical as to the legitimacy of these notes. Perhaps my skepticism is in part caused by my concern as to why this meeting at Chalmers was held in the first place and why" the trustee "was invited to participate." The trustee's "notes are in some respects detailed and in other respects somewhat vague. After the meeting had concluded, for reasons that I find somewhat bewildering," the trustee "concluded his notes by referring to Mrs. Takhar making lunch arrangements, the minister going out to make some mobile phone calls and to the fact that" the trustee "went out to the parking lot with the minister."

This really begs credulity, that the notes made at the time would indicate that somebody went for lunch,

somebody responded to a cellphone call and went to the parking lot and who went to the parking lot. It's hard to believe that at the time the trustee wrote these notes down—I think the Integrity Commissioner, by highlighting that in that report, indicates that he has some doubt as to the veracity of sworn affidavits made by those involved, including the minister.

Today in question period I brought up some serious concerns about whether the minister told the truth regarding when a cellphone call was made. As you know, under freedom of information requests, we asked for Minister Takhar's phone records. He indicated to the media, to the House and in a sworn affidavit that he had received the call on his phone. It took us seven months, when it should have been a routine request in a matter of weeks—you'd expect those bills back in a matter of weeks. We finally received the bills, after seven months of kicking and screaming here in the Legislature, finally forced the minister to reveal those phone records. Lo and behold on that very day, this important phone call in question—no record on the minister's cellphone bills. When he found that out and was called on it by the Queen's Park press, the minister's story took yet another turn where he said, "Oh, it wasn't my cellphone; it was my wife's."

It begs the question whether the statements made by the Minister of Transportation always meet with the facts. I think you see clearly here in the Integrity Commissioner's report serious concern expressed by the Integrity Commissioner regarding the veracity of the sworn affidavits that were brought before him.

I have no doubt that the members of the opposition, including members of the third party and, I suspect, many of the members on the government benches here today, would agree with me that Minister Takhar should no longer be serving in the capacity of a cabinet minister.

This could all have been resolved if the Premier had made the right decision months ago and asked the minister to tender his resignation pending the outcome of this investigation. He may very well have come back and served in cabinet. The Premier indicated that he is a charming fellow. He may very well be. He must be one heck of a charming guy for the Premier to ignore this report.

Mr. Lou Rinaldi (Northumberland): Are you jealous?

Mr. Hudak: The member from Northumberland asks if I'm jealous. I am curious about what hold the Minister of Transportation has over the Premier of Ontario that he would drop all standards altogether and allow him to continue to serve in his cabinet, given the scathing report by the Integrity Commissioner.

Ironically, the Minister of Transportation probably continues to serve in cabinet because of the scandal erupting. I'll bet the Premier said, "Do you know what? I don't want to back down. I don't want to take the minister out of cabinet. Because this scandal is around him, we're going to keep him in there."

Speculation was rife, whether in the media, here in the assembly or out in the hallways, that the Minister of

Transportation was going to be removed as part of a regular cabinet shuffle. Perhaps the member for Eglinton-Lawrence, Mr. Colle, who became the citizenship minister, was favoured to become Minister of Transportation. Ironically, because Minister Takhar involved himself in a scandal, he managed to keep his position and Mr. Colle ended up somewhere else. I'm sure that's just rumour. I obviously don't know what the Premier thinks; I have no idea why he's keeping the minister in cabinet. But I'll bet that if some day all the facts are revealed, it was intended that Minister Takhar would no longer find himself in cabinet. He got involved in this scandal and somehow saved his seat by becoming enveloped in the scandal, and Dalton McGuinty did not want to have two ministers step down in succession.

Of course the member for Vaughan-King-Aurora, the former Minister of Finance, had to step down a bit earlier, and I'll bet you that the advisers around the Premier said, "We don't want to lose two ministers at once. There's a federal election happening. The House doesn't meet again until February. We can skate through this and avoid doing the right thing. The issue will pass and we won't have two ministers in succession resigning under a cloud of scandal." Ironically, Minister Takhar saved his seat.

I've got to think there are some members in the assembly tonight, and other members who may not be here but listening to the debate, wondering why Minister Takhar stays in his capacity in cabinet regardless of the Integrity Commissioner's report. I would say that a significant portion of the controversial decisions or bad-news stories to hit the government in its first half have come from the Ministry of Transportation, whether it's bad decision-making, bad communications—embarrassments that have slowed the government down and caused them to reset, caused them to ask softball questions in the House to correct the record. My goodness, if you look for a long list of omissions, errors in judgment, scandals and bad policy decisions, nothing is going to beat the list by the Minister of Transportation.

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I bet you there are some very capable members here who thought, "You know what? I have a chance to get into cabinet. Maybe I could be the Minister of Transportation," that because of these problems Minister Takhar would be out and they would have a chance to take that seat. I think there's a lot of befuddlement on the other side about why he remains in cabinet, because of not only the Integrity Commissioner's report but also his conduct and decision-making as a minister to date.

I think the fact that only three members of the government side have taken the floor in the minister's defence, have taken the time—and I don't blame them. If I were the member for Northumberland, I'd be worried about where I was hitching my train. You've got to be worried about how people back in the riding are going perceive you defending the indefensible. There's no doubt there are a number of ministers here who are contemplating being the successor to Dalton McGuinty after

the 2007 election. They don't want to hitch their wagon to the Minister of Transportation and have their own reputation sink as a result when that goes off the rails. I understand that's why we've only had three members of the Liberal caucus, other than the Premier, responding to this issue. I don't blame them. I do hope that behind closed doors—and I know the integrity of a good number of the members across the way—they've brought this up with the Premier, they've brought this up in caucus and quite frankly have raised bloody hell about why this minister continues to serve. I would enjoy seeing one or two of them stand up in the Legislature today to talk about it.

Let me give you some examples of problems that we've had in the Ministry of Transportation. Folks will remember some columns by Christina Blizzard back in 2004, probably, about the Minister of Transportation letting a contract to Edelman Associates to wage a public relations campaign against some of the owners of the 407 in Spain. They were doing an IPO. Ontario tax dollars were used in Spain. Regardless of what you think about the 407—and people have strong opinions about that—I think the vast majority of taxpayers would step back from the notion of using their tax dollars in Spain to wage a campaign against a company going through an IPO.

One wonders if the Minister of Transportation accurately described, when he was questioned in the House about this, the facts behind the matter. He said, in fact, on December 9—according to Ms. Blizzard, she asked the Minister of Transportation if MTO or Edelman sent out the release in question. “The Minister of Transportation backed up his press secretary, saying the MTO or Edelman had nothing to do with it when in fact, we found out that the opposite was the case, that it was written by a member of Edelman and then published by Edelman in Spain.”

I've already talked about the issue with the cellphones and the discrepancy between what the minister said in a sworn affidavit and the truth in his cellphone records.

One wonders, too, on the 407 issue, if the minister has been fully forthcoming with the facts. We actually asked him at committee the costs of the ongoing court battles in that respect. The minister refuses to release those costs, estimates of those costs, the lawyers performing that work or the advice those lawyers have given him about his likelihood of winning those decisions.

The minister's batting record is certainly not admirable—far from it. Of five major decisions that have come forward, the minister is batting 0 for five. That's a record that makes that of the Washington Generals, who play the Harlem Globetrotters regularly, look like one of success. I'm sure millions and millions of dollars were wasted here, and the minister has not brought forward the facts behind the decisions nor the true costs of that ongoing court battle.

Another Toronto Sun article, Christina Blizzard: “\$31,000 Goes To Grit Pal. Peterson Aide Lands Untendered Contract.” Again, this has to do with the Minister of Transportation and whether that contract was an

untendered contract to folks who had very good, very strong connections with the Liberal Party. That was back in November 2004.

I know my friend and colleague the Minister of Northern Development and Mines had one heck of a time when the Minister of Transportation talked about tolling Highway 69. My colleague from Parry Sound–Muskoka rose up in the House many times, calling on the minister to rescind that move, to say that he was not going to do that, to say that there was no way they should put tolls on Highway 69. I sat here beside the member. He did a great job. Eventually, the Minister of Northern Development and Mines had to come out and say they were not going to do that. But what an embarrassment, for weeks, to the government that the minister was talking about tolling Highway 69 when, I expect, the government had no intention of doing so from the beginning.

It's reminiscent also of a recent slip-up by the minister, or a bad off-the-cuff policy decision, where he talked about taking away one of the lanes on the 401 and turning it into an HOV lane. The current high-occupancy lanes along the 403 and other 400-series highways were actually begun by my colleague the former Minister of Transportation, Mr. Klees. We're pleased to see that the current government followed through on the work that he had done—and let's not forget that was adding lanes. He didn't take away existing lanes, he added lanes. Then the Minister of Transportation publicly mused about taking away one of the 401 lanes and making it an HOV lane, which would cause a huge bottleneck and increase the already burdensome gridlock faced by working families in Ontario. It was embarrassing to have to see Liberal members rise in the House and toss the minister some softballs so he could backpedal from that bizarre policy announcement.

Drivers' licences: I don't have the exact date, but back in about February 2004 I brought a question to the floor of the Legislature, directly to the Minister of Transportation, around drivers' licences, the problem with people accessing the licences and the strange qualifications they have. It centred around the fact that people were no longer using health cards at the MTO offices as ID. They were accepting Costco cards and library cards. The minister's response to me was basically, “It's not a problem. Don't worry. Be happy.” At the end of the day, thankfully, the auditor pursued this issue simultaneously and brought it forward with a big bang in the media. In January, almost two years later, the Minister of Transportation finally had to admit they had a major problem. He had no plan to fix it, but finally had to admit they had a major problem that he had denied just two years earlier. If he had taken the friendly advice of the opposition, he could have fixed that back in 2004, but instead chose to deny it existed and, as a result, had a major negative story as part of the auditor's report earlier this year.

The mid-peninsula corridor: a very important issue to the people of Niagara, Hamilton and the western GTA. It would be an artery for investment in tourism, in trade, in safer travel, and it has been slammed into reverse by the Minister of Transportation. I've asked him questions time

and time again in the Legislature—always assuring me that it was on the go, that things were happening, that very soon we'd have some big news on the mid-pen. But, sadly, the only direction we have gone is backwards, with the previous needs assessment from 2001 justifying the need for the highway tossed out, and the minister's responses to me, his assurances that things were moving forward, turned out to be nothing but the contrary.

The Niagara Falls Bridge Commission: This is a curiosity that still has not been fixed. I had this as number 9 of my top 10 screw-ups by the Minister of Transportation. The Niagara Falls Bridge Commission, with a 70-year history of having local individuals, who understand the community, who can work with the mayor and council, with business representatives, with local community groups, appointed to that board—all fired and replaced by civil servants from the Ministry of Transportation. No doubt, the individuals appointed are very well qualified in their fields. They are not from Niagara. They have no connection with the community. The minister indicated that he had given very clear directions as to what those appointees were supposed to do. And it's not just me saying that you have to take the minister's words with a large grain of salt. The Niagara Falls Review did an FOI, a freedom of information request, and found that the minister had, in fact, given no written direction whatsoever to his new appointees. So the minister, on the one hand, says that they have clear direction and an FOI request tagged him and indicated that that was not meeting with the facts.

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And who can forget GO service to Dryden? Remember that one? This is an oldie but a goody among the Minister of Transportation's mix-ups. The leader of the third party, the member for Kenora-Rainy River, asked about transportation issues in northwestern Ontario, and the minister responded that he would speak with GO Transit officials to address problems with bus service in northwestern Ontario. GO Transit goes nowhere near northwestern Ontario; it goes nowhere near Dryden. I know that caused embarrassment to the government members.

There's no doubt that the minister has an admirable background in business—I listened to his remarks in the Legislature—and has a story that obviously won over the voters his riding, and there are many admirable aspects to what the minister has accomplished to date. If the minister were the type of man described, I would suggest that the honourable thing to do would be to step back from his cabinet position; the Premier may restore him down the road. But I find it sad that he retains that seat and sadder still that the Premier of Ontario, who sang a totally different song on this side of the Legislature, has now effectively eliminated the bar of standards for his cabinet ministers.

Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell): I'm extremely pleased to take part in this debate, but I'm very surprised to see that the official opposition has no trust in the Integrity Commissioner. I was very surprised to hear this.

As a former parliamentary assistant to Minister Takhar, let me tell you that the first day I joined that ministry I immediately recognized that the minister had a goal. The main goal he had for the people of this province was safety and security on our Ontario roads. To improve the safety and security of Ontarians on our roads, the minister introduced Bill 169, the Transportation Statute Law Amendment Act, which received third reading on November 15, 2005.

What happened with this case was that the minister did recognize he had made a mistake. He recognized and he apologized immediately after, probably because, as they would say *en français*, *c'est l'ignorance*; *c'est ne pas connaître à fond la loi*. The Premier has done what was recommended by the Integrity Commissioner. As I said, the minister did recognize that he made a mistake. He apologized to the people of Ontario and also apologized to the Premier.

Just to show how much this minister does believe in the safety and security of the people of Ontario, when he introduced Bill 169, he said that the first thing we had to look at was taxi scoopers at Pearson airport. Why did he say he needed to cover that? Because passengers taken by scoopers, who were not licensed, were sometimes charged over \$100 from Pearson airport to downtown Toronto. In one case, a local taxi driver advised me one day that those people did not have licence plates for Pearson airport. By the way, to get a licence at the airport costs over \$300,000. This is why we have to stop scoopers: first of all not having any insurance coverage, not having to pay for a licence plate and also having no meters or a way of charging tourists coming to Ontario. This was for the protection of travellers coming to Ontario.

Besides taking care of scoopers, the bill also covered the need for booster seats for our children, again because the minister was concerned about the security of our kids travelling in cars—the pedestrian crossing safety rule that was put in place; the studded tires for northern people; and the truck safety check that we have done.

I was just reading the latest trucking industry report. Even though we have 49% more truckers on the road, fatal collisions have gone down by 21%. It's just to show you that Mr. Takhar, our Minister of Transportation, was concerned about the security of our people and that's why he has introduced Bill 169.

This is all the time I have. Even though the member for Erie-Lincoln said a little while ago that the minister should be moved back as a backbencher, does that mean that anybody who is sitting in this House as a backbencher is not a person of integrity? I'm questioning this. Once again I would say that the minister has apologized, and that should be it for now with this discussion.

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): It is my pleasure to have a chance to speak on, I guess, a motion by the House leader to accept the Office of the Integrity Commissioner's report. Is that what we've actually been doing for the last three days?

The Deputy Speaker: Now that the member has asked, frankly, we're speaking on an amendment to that

motion that this be referred to the standing committee of the Legislative Assembly. I know you will speak to that.

Mr. Murdoch: Thank you, Mr. Speaker. I'm glad we got that out of the way. After we're done speaking to the amendment, does that mean we will speak again to the report, that we'll all get 20 minutes to do that again? I'm not sure, but I get my time to speak on the amendment and I haven't had time to speak on the report yet, and maybe then it will go to committee. I'm not sure.

This is something new. I don't believe that we have done this before, especially spending—this is the third day, I believe.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): A long time; you're right.

Mr. Murdoch: Yes. It is a long time to speak on one report. But there's a problem here. I've sat here for a number of years, I think 15 years, and I'm sure some other members have been here longer. But when somebody messes up like this, it's the job of the opposition to bring this point to the government. I remember Runciman, Wilson, Cunningham, Leach, Jackson, and there were little things—

Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal): Stockwell.

Mr. Murdoch: Stockwell. Yes, I was going to talk about that one too. Somebody mentioned Stockwell's name and some more names too. The Treasurer of this government I think even got into some trouble and he has stepped down until that is looked at.

We do have a report from the commissioner. But when you're over there, it's different than when you're over here, I guess. I can remember when some of the same members—not everyone who is there today—sat over on this side, and with some of those names I mentioned, it wasn't nearly the same: "You've got to resign; you've got to sit on the backbench; you've got to get out of your job because you've done this."

In the case of Jim Wilson, it was one of his staff who had done something, or they thought he had, anyway. Of course, he stepped aside and they had a report and everything was fine; the same with Cam Jackson and Bob Runciman. They all stepped aside when this happened.

Now all of a sudden you have a Liberal who has done something, or supposedly—and I guess he has because in the report it does say he has done something wrong—and it doesn't seem the same. They should have to step aside.

You can't have two separate rules. This is what happens, and I have said this all along: The government of the day has to remember that they are the government. It's almost two and a half years now we're into this. You've got to finally figure it out: You're the government, and when these things happen, your Premier, Premier McGuinty, must do the proper thing. In this case, there's only one thing he can do: He can ask this minister to step aside for a certain length of time. I'm sure there are all kinds of other members over there who could do this job—there certainly are. They should be given a

chance. This is the time, especially when the Premier of the day talked so loudly and screamed so much from this side of the House whenever one of the ministers got in trouble.

1740

I even go back to when the NDP were in government. They had some of these same problems and some of their ministers had to step aside. One—I think he was the Attorney General; I can't remember. I think he was from Kitchener. His staff sent some letters out and used his letterhead, but he hadn't signed them. He had to step aside for a while. I can't remember what his name was. But they have to do the right thing. This is up to the Premier again.

Now, I imagine Mr. Takhar is a good person. I have no thoughts at all that he isn't a good person. It was nice to hear Mr. Lalonde stand up and talk about him, and talk about the good things he had done. That's fine; that's the way things happen. But when you break the rules and your Premier had been so strong on rules, that they can't be broken, then it doesn't matter about all those good things that he has done. That's fine. They'll stay with his record. But he did break some rules here. That is the job of the Premier of the day: to do something about this, or integrity is lost in this House.

Again, I can go back to a few days ago, when Mr. Runciman spoke and people were accusing him of being so upset. Well, he should have been upset and he had every right to be upset, because look at what happened to him. I was here when that happened. All he did was have somebody's name in the budget and he hadn't got approval for it, so he stepped aside until everything was solved. You know, Mr. Speaker—I think you were here at the time—there was an awful lot of hollering and screaming from this side of the House, from the opposition, wanting him to step aside. In that case, the Premier of the day said he must do that, and he did. The same thing with Mr. Wilson, and Mr. Jackson—he was the Minister of Tourism. They accused him of all these wrongdoings which, in the end, they weren't. He came back and sat in cabinet. Just because this minister were to step aside doesn't mean that at some time he wouldn't be able to come back into government.

It wasn't only Mr. Lalonde, but other members over there stood up and said some of the good things he had done, and that he was a good person. I think Sandra Pupatello said that she was on the search when they went out and searched for candidates to run in the last election, and his credentials stuck out and she was so impressed. That's fine. They probably did. Unfortunately, when he got here, he didn't remember all the rules. Sometimes that happens, so you've got to pay the price.

But not always, not all the things that this minister has done have turned out for the best. As I listened at home last week—I wasn't here last week—to some of the debate, one of the members of the government spoke about the trouble you had with all the fraud in getting licences. The Auditor General mentioned that there was a whole lot of fraud within that system. So the Ministry of

Transportation came up with this new idea for people to get their driver's licence, their first chance to get their licence. If you're a person born in Ontario and you're between 16 and 20 years of age, it is almost impossible to get a driver's licence. I would think some of the other members over there must be getting calls from people. I know there was one up north who drove for two hours—because up north all the licensing spots aren't close together like they are down here in the south—only to find out that his son did not have the credentials to get his driver's licence. This was put in by the new minister. So everything just isn't working out fine.

Would you believe, if you're 16 to 20 and you go in to apply for your driver's licence, you must be able to prove your age and your birthdate—which you can do on a birth certificate, that's fine. But then you must be able to prove who you are with a signature on a card with your picture. Okay. That doesn't sound too bad to you or me maybe. One of the things you can use is a passport. Well, a lot of kids between 16 and 20 don't have passports, and if they don't have one, it's going to cost them around \$85, whatever it is, to get one, plus they're going to have to wait for who knows how long to get it. That's one of the things you can use; well, you don't have that.

One of the other things you can use is your health card, if you have a new one with your picture and your signature on it. Not a lot of people have those. I've had people come to me and say that they've gone to the health people and they won't get a new one if their old card is still the one with the red strip on it, which I have. I don't know, Mr. Speaker, whether you have that one, but if you don't have a new one—and a lot of kids between 16 and 20 don't have one of the new cards.

Now, you're okay if you have an immigration card. Unfortunately, in rural Ontario there are not a lot of kids with an immigration card. That may work quite fine down here in the city, but it certainly doesn't work out in rural Ontario very well.

The other one you can have is an Indian status card. That's not going to help a kid who's not a native. That's not going to help either if he or she cannot get a card.

So far, we have not found anything. All they've got is their birth certificate. They're standing there, having driven to try to get their licence.

One of the things they can use, it says on the report, is their driver's licence. Well, that's what they've gone to get, so that doesn't do much good.

Now what do they do? They phone their MPP, and I've been getting a lot of calls. Unless that's changed by this minister, then we have a big problem out there. People born, as I said, in this country who want to get their driver's licence are in trouble.

Everything isn't perfect over there. I hope the parliamentary assistant is listening to this, or any of the members over there today are listening, and will go to the minister and say, "Hey, we've got to change this, because it's not working for rural Ontario." Again, people travel a long distance to get a driver's licence.

One other card they can use, though—I forgot about it—is their student card. The problem is, no one told the

boards of education about this and generally they laminate their cards before they sign them. Now you have a card with your picture on it, but you haven't signed it—and you can't sign it because it's laminated when the school boards give it to you. So that doesn't do you any good.

They won't take an affidavit from their parents, so you're pretty well euchred. There's no way they can get a driver's licence.

We phoned some of the drivers' licences places and asked about this. They said, "It could be my next-door neighbour, but if they don't have that card with a signed picture, we can't allow them to try for a driver's licence." So we have a big problem, especially a problem in rural Ontario. And the reason it's more of a problem in rural Ontario is because down here in the city maybe you can wait for a while for your passport, if that's what you want to get. At least you can get around because you have busing systems. You don't happen to have that in rural and northern Ontario. It's not easy for kids to get around and they need their driver's licence.

So I tell the government today that everything is not perfect in the Ministry of Transportation. We need to do something differently with that. I just wanted to put that in since we are talking about the amendment to the commissioner's report. I don't know whether we're going to talk on the commissioner's report another day or not, but it does seem like a long time to spend on one report that's come through here. I would hope that we would get on with some business. I know that the government has—I think they must have—some bills they would like to get through, and this session is almost over, so I would hope we'd get on with this.

1750

One way we could get on with it is if the Premier of the day would just say to the Minister of Transportation, "I believe it's time for you to step down." I don't know, but I hope, when they mention that he should be sitting in the backbenches—I think we are as important as anybody else. He may even sit in the back row, but I think they meant the backbenches. I'm sure that the ones in the back row today anyway, for sure—we wouldn't have a big audience if we didn't have the back row. It's not so much right here right now, but the government has a good back row over there today, and I'm sure all those guys are every bit as important. So I think that wasn't the way it was meant to come out. I think it was a question to the Premier saying, "Hey, he shouldn't be in cabinet." They could have said it a different way, but they didn't.

I know, Mr. Speaker, you can imagine how some of the members feel in opposition, even in the NDP. When the Liberals sat over here, when they weren't in government, they did get quite upset, quite vocal, and were vicious sometimes with some of the people who had maybe made a mistake or when somebody in their ministry had made a mistake, and they were asked to step aside. I can't remember any who didn't do that when we were in government. I think maybe when the NDP were in, there were a few who took a bit of coaxing, but in the end they stepped aside too. I think to keep decorum and

try to get things done in this House, that would be the simplest thing to do. Then we could get on with the business of the House and debating some of the bills that are in this House that we all want to get a chance to look at and debate. But unfortunately, this has come up. You have to say that the government of the day hasn't had a lot of problems. They have had the one with, the Treasurer, but he took the high road for now and decided to sit—he is actually in the front bench, but I don't think it really matters whether you're a frontbencher or a backbencher. But he left cabinet to clear his name, until things are cleared up.

I just can't see, when this government was so ferocious when they were in opposition—any time there was a hint of any kind of mistake being made by any of our ministers, they were so upset and so incensed that they should step down, and I think in most of those cases, it happened; they did step down. So I just find it very peculiar that the Premier of the day could stand up there and say, you know, "I've dealt with it. I'm fine with it." It just doesn't seem to be the same person.

I think it goes back to the fact that they are government, and when you are government, there are a lot of things happening: a lot of bills, a lot of pressures on them. They have some bills coming up, like 206. There has got to be a lot of pressure on the government of the day. The pressure maybe is getting to them and they just don't realize that this is something they can do and get on with the work. So I think that would be the thing to do, to just ask the minister to step aside and let things cool down. That's not to say that he won't come back and it's not to say that he didn't do good things. One good thing I would mention that he did in our area was for the fire-fighters being able to go through signs when the roads are closed, to be able to go in. That was a good thing to do, and no doubt he has intentions of doing everything.

but he did make a mistake, and sometimes you've got to pay for the mistakes. Because what happens next time? Next time a minister, maybe not knowing, makes a mistake the same way, why should he or she step aside? You let the other person stay on. Then we lose control in this House, Mr. Speaker, and there is no decorum in here any more, no rules. Who knows what happens then?

So I think the bar had been set. We can't have double standards. I looked at a lot of the speeches here, and a lot of the time the words used are "double standard." We don't want that.

I also want to say that I listened to Mr. Prue. He had an excellent presentation on this whole thing, and I really thought he put his whole feelings into this and felt that something should be done, and he seemed very sincere in his comments. I thought he did an excellent job, as I say.

Jim Wilson and Bob Runciman were a little upset. You can't blame them, because they were over there when they were accused of different things, and they stepped down and I think did the honourable thing.

I would think, Mr. Speaker, that the Premier of the day would do the honourable thing so we can get on with more business in this House, get on with looking at what bills they would like to bring in. I'm sure any bill that they want to bring in should benefit Ontario. You would hope that is what they are thinking. So I would hope we will hear that the minister has stepped down. As I say, you've got a wealth of people over there who could take his place.

The Deputy Speaker: Thank you to all the speakers. It being 6 of the clock, this House is adjourned until 6:45 of the clock.

The House adjourned at 1757.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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		Niagara Falls	
		Nickel Belt	
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Second Session, 38th Parliament

Assemblée législative de l'Ontario

Deuxième session, 38^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 20 February 2006

Lundi 20 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 20 février 2006

The House met at 1845.

ORDERS OF THE DAY

ENERGY CONSERVATION RESPONSIBILITY ACT, 2006

LOI DE 2006 SUR LA RESPONSABILITÉ EN MATIÈRE DE CONSERVATION DE L'ÉNERGIE

Mrs. Cansfield moved third reading of the following bill:

Bill 21, An Act to enact the Energy Conservation Leadership Act, 2006 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act/ Projet de loi 21, Loi édictant la Loi de 2006 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.

The Acting Speaker (Mr. Michael Prue): Debate?

Hon. Donna H. Cansfield (Minister of Energy): Mr. Speaker, I'm going to share my time with the member from Peterborough.

I am pleased to be here this evening to continue the debate on third reading of Bill 21, the Energy Conservation Responsibility Act, 2006, a bill which is another step in the continued success of our conservation efforts and the McGuinty government's plan for Ontario's energy future.

Let me begin by saying this: Energy conservation is an imperative for Ontario. It has been an imperative since the day we took office, and it will continue to be a driving principle for this government and for our energy standard. Our energy strategy balances the need for new supply with the recognition that we have vast opportunities to achieve significant reductions in our overall consumption. In addressing our energy supply needs, we are moreover creating a greener and more sustainable energy future for this province. We are creating opportunities for stronger communities and for a stronger economy. We are creating opportunities for all Ontarians to be involved in building the future.

We have recognized that the global landscape for energy is changing. How we view energy, how we use energy and how we value energy must change too. My

government doesn't see energy conservation as a passing fad, as many others have. We don't see it as a temporary solution, as others do. We see conservation as a real opportunity to help Ontarians prosper by helping them to reduce their costs and their consumption in the near future and over the longer term. Through energy conservation, we can enhance our competitiveness, and this will assist the province invaluablely as we move forward to meet the future.

While conservation has been a priority for Premier McGuinty and our government, conservation has also been my personal priority. I have had the privilege of leading our efforts to move forward on conservation, and I was honoured to chair the conservation action team and moreover to have the opportunity to establish strong relationships with Ontario's active and committed conservation community.

As minister, my commitment to conservation remains firm. Conservation will continue to be a key element, a keystone in our energy plan. The steps we have taken as a government demonstrate our commitment to conservation. The steps we have taken—and they are many—however, are just an indication of our resolve to do even more.

Our first immediate action was to set two ambitious conservation goals. We committed to achieving a reduction in the growth of Ontario's peak electricity demand of 5% by 2007. We also committed to showing leadership by reducing consumption in our own operations by 10% over the same period of time.

1850

The initiatives we have undertaken to date have moved us well toward meeting these essential commitments. By undertaking energy-efficient retrofits and upgrades to government buildings, and by making use of deep lake water cooling technology at Queen's Park, we are well over halfway to meeting our commitment to reduce government consumption by 10% by 2007. But there is more.

With the passing of Bill 100, the Electricity Restructuring Act, 2004, we put into motion the structural reforms needed to make conservation an integral part of our electricity system. We appointed Peter Love as Ontario's first Chief Energy Conservation Officer. His primary responsibility is to ensure that Ontario fully exploits the potential that exists within this province for achieving conservation. Mr. Love will help ensure that we achieve our goals both by monitoring our progress and by developing province-wide programs that encour-

age us to conserve in our homes, in our businesses and in our communities.

We made over \$160 million available to Ontario's local distribution companies, the LDCs, the utilities, and restored their ability to encourage conservation through initiatives such as community education, the promotion of energy-efficient products and the piloting of new technologies. We launched powerWise, a public education and outreach campaign, in partnership with Ontario's six largest utilities, that will promote energy conservation and awareness across Ontario.

Every one of these actions is aimed at ensuring that we are embracing innovation. These actions are removing the barriers to conservation and energy efficiency and promoting new technologies and new ideas, yet they represent just a fraction of what the government has done with respect to energy conservation. More importantly, these actions are only a first step of what we intend to do.

Over the last year, the ministry has issued a number of directives to the conservation bureau to help develop conservation programs in a number of important areas. I am pleased to inform members of this House that these directives will generate over 1,000 megawatts of savings through new conservation programming. These directives include: a low-income and social housing program building upon the ministry's successful pilots on energy conservation and demand-side management with various organizations; an appliance exchange program that will encourage electricity consumers to replace energy-inefficient appliances such as refrigerators, dishwashers and freezers—the difference with that program is that in the past, when there was a program, it was strictly a rebate in terms of your tax, and this time we will pick up the refrigerator and recycle the refrigerator so it doesn't end up in your basement; a conservation outreach and education program that targets residential consumers and small and medium-size enterprises that would promote energy-efficient lighting technologies and efficient lighting design; and 300 megawatts of additional conservation programs to address the urgent need facing the city of Toronto to reduce energy use and add new supply by 2008. This more than doubles the new conservation programs recently announced by Toronto Hydro.

Our government has also signalled the importance of energy efficiency and conservation by making low-interest loans available to Ontario's municipalities and universities for energy efficiency projects through the Ontario Strategic Infrastructure Financing Authority.

We know that the potential savings achievable through conservation are real, and as we move forward, the conservation bureau will continue to spearhead innovative and successful initiatives that will enhance the imperative for energy conservation in our province.

In terms of changing the landscape, I would also indicate that the responsibility for and commitment to creating a culture of conservation does not reside within the Ministry of Energy exclusively. From new school curricula to innovations within social services, many ministries are incorporating energy efficiency and conservation into their programs and initiatives.

Our new legislation will foster that even further. Bill 21, the Energy Conservation Responsibility Act, 2006, represents an important milestone in our effort to create a conservation culture in Ontario. The bill consists of two key components: the Energy Conservation Leadership Act and legislative changes that support the government's smart metering initiative through amendments to the Electricity Act, 1998, and the Ontario Energy Board Act, 1998.

This government is working with organizations, and indeed with all Ontarians, to create a culture of conservation and to demonstrate conservation leadership. We need to give Ontarians the tools and the information they need to effectively incorporate conservation into their work, their homes and their everyday lives. We know it will make a difference. According to the federal Office of Energy Efficiency, for example, Canadian businesses saved as much as \$3.4 billion in purchased energy in 2002 simply by managing their energy use more effectively. That was 2002. Even in the narrow distance between then and now, new technologies have emerged and changed, and every day there are important advances and, more importantly, new opportunities.

I believe the public resolve to conserve has changed as well. With what we now know and what we can now do, there is much more to be saved, and we will all benefit economically from eliminating energy waste. We benefit directly, of course, in the prices we pay for energy. But we also benefit in the prices we pay for goods and services; we benefit from the jobs that result from more efficient export.

Our public sector organizations benefit—and I'll speak more of this later—as taxpayers also do by having more money to devote to services and paying less of their budgets to energy costs. Wasting a commodity as precious as energy is an unnecessary drain on our economy and our society. It's a cost we can't afford. As we work to replace over 25,000 megawatts of aging electricity-generating capacity in this province, one thing is clear: Despite the prudence and innovation our government has shown in having set in motion over 9,000 megawatts of new generation, all at fair prices, replacement generation will not come cheap, and energy wastage is more than just dollars. The Energy Conservation Responsibility Act aims to give government, the broader public sector and consumers the tools needed to foster a culture of conservation in our homes, public buildings and institutions.

This bill would remove additional barriers to conservation that exist and would make conservation a key element in public sector planning and operations. Under Bill 21, ministries, agencies and broader public sector organizations would be required to prepare and publish energy conservation plans on a regular basis and report on energy consumption, proposed conservation measures and progress on achieving results.

As public servants, we collectively need to ensure that we are doing all we can when it comes to energy conservation, and this bill will help us by giving us the tools

we need to carry out the job. I've already mentioned initiatives the government itself is taking, such as energy retrofits of government buildings and initiatives like deep lake water cooling, which is being expanded to include buildings at Queen's Park. But public buildings across Ontario are the symbols of our communities, be they courthouses, hospitals or schools, and energy conservation in these facilities can serve as an important example and reminder to others of the importance, and methods, of conservation.

We've seen real leadership among many public sector organizations: hospitals in Hamilton and Windsor, universities throughout the province and others. What this legislation does is challenge all public sector organizations to think about how they can save energy and share that information and best practices with their communities and with other similar organizations across the province and, ultimately, with all the people of Ontario.

The legislation also recognizes the important role that organizations outside government can play in encouraging conservation. Through partnerships and other arrangements in communities across Ontario, non-profit organizations, environmental groups and other bodies of concerned citizens are generating ideas, initiatives and the community will to spearhead conservation efforts. The legislation being reviewed by this committee builds on the resolve of this government to create a conservation culture by providing the mechanisms for further co-operation between government and these organizations.

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Even without this legislation, we have made significant headway. The legislation simply makes it possible to do more of a very good thing. Bill 21 also includes proposed legislation that would facilitate the installation of 800,000 smart meters by 2007, and to all Ontarian homes and businesses by 2010. Smart metering is an innovative technology that will help Ontario consumers manage their energy use, encourage energy conservation and save money. Combined with a pricing structure that reflects the true cost of power production at certain times of the day and year, smart metering would allow consumers to make informed decisions about the electricity they use. This will allow Ontarian consumers to save money and to reduce the strain on the power system at peak times.

Bill 21 also confirms our commitment to work in partnership with the local distribution companies on this historic initiative. They will continue to own, operate, maintain and install meters and will work with us as partners whenever a centralized approach makes sense. As many as 20 of our local distribution companies have or are planning smart meter pilot projects, providing us with invaluable technological information. For example, Chatham-Kent Energy has successfully installed as many as 1,000 meters, and meters are now being read in 11 different local communities. Two hundred meters have been successfully installed in Middlesex Power, a sister company of Chatham-Kent. Toronto Hydro currently has 10,000 smart meters installed and capable of being read.

We are supportive of these local pilot projects, and some LDCs have raised concerns that Bill 21 has prohibitions on discretionary metering that would block these efforts, and that is absolutely not the intent. One of the most significant amendments to the bill enables sub-metering of condominium buildings. Under the bill, sub-meter providers regulated by the Ontario Energy Board would bill condominium residents based on electricity they use. The cost of electricity will no longer be embedded as part of the total condo fees, and further details will be set out in legislation. If you recently read the report by Stratacon, who are actually sub-metering rental apartment buildings, you would have heard that they found 12 grow-ops, a reptile farm in one area and a catering business. All the renters in that building had to share the extraordinary costs of those particular programs. Fortunately, they were all shut down.

Through this important amendment, condominium residents will now join other Ontario electricity consumers in having the tools they need to manage their electricity consumption and bills and contain the ongoing increase in the condo fees, mainly as a result of higher electricity usage and cost. Smart meters will help consumers to understand their electricity usage patterns and to encourage them to shift electricity use to off-peak times. Not only will this benefit consumers by allowing customers to take advantage of lower costs, it will also help us meet our coal phase-out targets by saving critical capacity during peak times.

Bill 21 is one of the many key actions this government is undertaking to build a conservation culture in Ontario. It is an important part of our vision for the future. We will continue removing the barriers to conservation and energy efficiency, we will continue to promote new technologies and new ideas and we will continue to provide the vision and the leadership to build a new, sustainable energy future for Ontarians. Thank you very much.

The Acting Speaker: Further debate? I understand it's being shared, but you must be in your seat.

Mr. Gilles Bisson (Timmins-James Bay): On a point of order, Mr. Speaker: I'm trying to help my friend out. That's all I'm trying to do, because the Speaker can't stand there. As you know, sir, you're not allowed to stand there unless there's a point of order on the floor, and seeing that it's that time, the point of order is done.

The Acting Speaker: That not being a point of order, there's nothing to rule on.

The member for Peterborough.

Mr. Jeff Leal (Peterborough): I do appreciate your patience, and also my friend Mr. Bisson for helping me out in this situation.

I do want to make some comments on Bill 21, which is the energy conservation act smart meters initiative. I want to take this opportunity publicly to thank the member from Kenora-Rainy River and leader of the New Democratic Party, Mr. Hampton, and the member from Renfrew-Nipissing-Pembroke, who were part of the committee deliberations as we visited a number of com-

munities in Ontario: a day of hearings in Toronto, and then we went to Simcoe, Chatham and up to Thunder Bay. It was a pleasure to be on the committee with Mr. Hampton and Mr. Yakabuski, as we heard very detailed presentations on Bill 21.

I want to speak a bit about the smart metering initiative, particularly in Chatham-Kent. In Chatham-Kent, the LDC has a pilot project of about 1,000 homes using smart meter technology. What I thought was very interesting about that pilot project—we got a detailed presentation from the general manager of the LDC in Chatham-Kent. In his presentation, he detailed that what they did in Chatham-Kent was retrofit the existing meters of the 1,000 homes that were targeted for the pilot. They incorporated a technology that allowed them fairly easily to retrofit the existing meters in those 1,000 homes.

We heard a lot about costs from different presenters as we went through the committee hearings. But what is interesting to note in the Chatham-Kent situation is that the all-in cost for the smart meter was exactly \$1.29 added to the bill, because we heard suggestions from other people that the cost might be \$3, \$5, \$7, \$8, \$9 or \$10. In the Chatham-Kent case, through their experience in their pilot project, they were able to establish quite clearly that \$1.29 per month was the all-in cost. They did take the step, which I think was very important, of asking a third party, the very distinguished accounting firm Deloitte, to come in and do a detailed analysis of the pilot to verify that the cost was indeed \$1.29.

I think the experience in Chatham-Kent goes a long way to allay some of the very legitimate fears out there. Anytime you introduce a new concept, there are people who have some concerns, some anxieties. I think the Chatham-Kent experience certainly indicates that a smart meter initiative can be brought in at a very reasonable cost, and Chatham-Kent's case certainly demonstrated without a shadow of a doubt the amount of electricity that can be conserved by shifting to off-peak times in order to conserve.

The other thing that I think is important in this bill is the whole conservation side. I know we have received detailed presentations, the Pembina Institute being one, that have clearly suggested that an aggressive conservation plan in Ontario could go a long way to meeting our needs and conserving that very valuable resource. It's important that each one of us embraces that conservation culture. It's sort of like 10 or 15 years ago, when we all, as a society, bought into the important concept of recycling. For the longest time, we disposed of everything into landfill sites. Then suddenly we woke up one day and said, "There are a lot of valuable commodities that we're putting in the landfill sites that have another use." Now it's just second nature for all of us, on a day-to-day basis, to embark on the recycling effort, which, over a period of time, has diverted an awful lot of material that formerly was going into landfill sites.

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So it's important now, in 2006, that we embrace the culture of conservation and buy into it as a society, to

start to conserve a very precious resource, which is electricity.

One of the ways we will accomplish that is certainly through smart-metering as we bring in 800,000 smart meters initially, and then go from there to have smart meters throughout the province of Ontario.

The other thing that is quite remarkable is the role that I believe LDCs have in terms of creating this conservation culture. When you look at the history of providing electricity in the province of Ontario, you can go to any community to see that their local distribution corporation has really been on the vanguard of programs working in those communities.

I think of my own community of Peterborough and I want to say that Bob Lake, who has been the president of Peterborough Utility Services for some 20 years, will be retiring at the end of March. But he also spent time being president of the old Municipal Electric Association of the province of Ontario, and he was recognized by his peers as being on the forefront of innovation. One of the things that he has been involved with is the funds that have been provided from the Ontario government to LDCs across the province.

In Peterborough's case, we developed these storage units. The storage units are particularly useful for low-income families. It allows them to acquire and store electricity at lower costs off peak hours and then to utilize that electricity that would normally be during high-peak times. It has allowed low-income people to take advantage of that innovative technology. I would certainly like to see that used more frequently throughout the province of Ontario, because I think it's innovative and provides a real opportunity for those people who we all recognize have a lot of struggles on a day-to-day basis. That's just one example of an LDC that is coming forward with some innovative ideas. Here in Toronto, Toronto Hydro has some very aggressive programs.

I think that key partnership between the government of Ontario and the LDCs—and most of the municipalities were wise; they retained their LDCs. Many of them are providing substantial dividends to the municipality that owns them and they have been very successful in helping us to achieve our goal.

I also want to talk about the work of Mr. Peter Love, who is working on becoming the conservation czar for the province of Ontario. He is actively looking into a number of options, because the more effective we can be on the conservation side, the better off we'll be as we move forward in terms of the new generation that we certainly need to look at.

I was struck by the number of people who came forward during the committee deliberations who are embracing the need for smart meters and the need for conservation. They are certainly advocates of making that sea change in terms of how we do things here in the province of Ontario. I also want to say that there will be other opportunities. Solar energy has great potential, and we have an opportunity to develop that as we look at other alternatives, look at other ways to have a steady

supply of electricity here in Ontario. But such things as Bill 21 really are a foundation in order to look to the future for Ontario's energy needs.

Having said that, I wholeheartedly endorse Bill 21, and I recommend that this Legislature pass this bill as quickly as possible.

The Acting Speaker: Questions and comments?

Mr. Garfield Dunlop (Simcoe North): Thank you very much, Mr. Speaker. I just want to make a few short comments on Bill 21. I was talking to the minister a few minutes ago on this whole idea around conservation. I think the blackout in 2003 alerted a lot of people, not only here in Ontario but right across North America, to just what we take for granted: an adequate supply of electricity. Particularly after the blackout, when they were trying to get all of the different generation up and running again, I remember our Premier at the time, Ernie Eves, almost on a daily basis, almost on an hourly basis, on TV or in the media, asking people to please be responsible and careful in the amount of energy they were using as they brought it on stream. I can tell you, I think a lot of people right here in this House—I know I myself learned a lesson from that blackout. I realized at that point just how much energy, with or without new sources of power, we were actually wasting right in our individual homes. Bill 21 goes back to the amount of power you use in your home, but I think that was our number one lesson, and where we take it from here is up to this House in the province of Ontario. So I look forward to the debate around third reading of Bill 21, and I look forward to good solutions for the citizens of our province.

Mr. Bisson: Speaker, this particular bill supposedly deals with energy conservation and specifically smart meters. I had an opportunity to review the bill extensively and have some discussions with individuals in the energy sector. I am not convinced, at the end of the day, that the smart meters are really going to achieve what the government is setting out to do. The goal is—yes, I agree with the government—should we look at ways to conserve electricity? I don't think anybody argues against that. That's motherhood and apple pie. However, if you take a look at some of the experiences where smart meters have been used, it's a fairly significant cost to the utility ratepayers who, at the end of the day, will have to pay to have these smart meters installed. I understand it's somewhere around \$1 billion to set up the entire—

Mr. John Yakabuski (Renfrew-Nipissing-Pembroke): It's \$2 billion.

Mr. Bisson: Is it about \$2 billion?

Mr. Yakabuski: It could be up to \$2 billion.

Mr. Bisson: They don't know. But I've heard numbers of \$1.3 billion, \$1.7 billion. Whatever it is, it's over \$1 billion. My point is, somebody has to pay for this at one point, and it's going to be ratepayers.

But here's the interesting thing. I read some information that came my way in regard to some people who have actually installed these meters, have done absolutely everything they are supposed to do in order to save

electricity, and at the end of the day, in this particular article I was reading, one person saved \$1.85 in a month. People are going to basically cook at different times, clean their clothes at different times, wash the dishes at different times—they're going to change their lifestyle for \$1.85? I don't think so.

So I say to the government that it's not a bad idea, but I'm not so sure you're going to get to where you want to go at the end. I think the bigger issue is, yes, we need to find ways to put in place the types of investment necessary to give people an opportunity to invest and save energy by insulating their homes, better windows etc., and we'll talk about that later on in debate.

Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge): I appreciate this great opportunity, even if only for a couple of minutes, to speak to Bill 21. In particular, this is the type of bill on which each of us probably has a lot of interest in our constituencies about some of the things we are doing. The minister talked about it being the energy responsibility act; the parliamentary assistant talked about energy conservation.

I just want to quickly reflect, if I can, on a couple of things that have been happening with me and what I do but also within our community. First, I had the opportunity to serve with the minister when she was the chair of the conservation action team. During that process in my role as the parliamentary assistant then to the Management Board Secretariat and Minister Phillips, we were looking at the chillers in the Macdonald Block and looking at this building and talking about replacing them, and along came the Enwave project and the pitch was made. Because of the initiative that was ongoing for the government to reduce its consumption in its managed and owned buildings, the Enwave deal was put together as a package. It's really forward-thinking about taking advantage of the existing cool water, cold water opportunities in Lake Ontario, rather than spending millions of dollars in replacing chillers. So just here alone we've found some things coming out of the kind of process we're into.

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I have the distinct pleasure of having the Veridian Corp. as my home supplier of hydro; it used to be Pickering Hydro and Ajax Hydro and it became Veridian. Veridian is one of those half-dozen large utility partners in powerWise, along with the government of Ontario, in the very beginning of driving the energy conservation agenda to consumers, getting the message out about how important it is to continue doing what we're doing in that regard.

There is just such a long list of initiatives going on in Durham region. A number of utilities, municipalities and the private sector have formed the Durham Strategic Energy Alliance and have really capitalized on the government's initiatives around energy as a way of coming together and moving forward.

Mr. Norm Miller (Parry Sound-Muskoka): It's my pleasure to add some comments to the minister's speech this evening and that of the member from Peterborough on Bill 21, which is the Energy Conservation Responsibility Act, 2005.

Just a minute ago, the member from Timmins-James Bay was saying how conservation is motherhood and apple pie, and I agree with that. The question for me is, should these smart meters—which are just part of this bill, but it seems to be what we're focusing on right now—be mandatory?

We heard from the leader of the third party when he was up in Atikokan; his number for the cost of the program is \$2 billion. But for the individual household, the idea of course is that you shift your use of electricity to non-peak times—for example, the middle of the night—and you get a lower cost on electricity. But there is speculation that it could cost up to \$8 a month. I know that's what Tom Adams, who is the executive director of Energy Probe, says they'll cost.

I attended a day of hearings up in Atikokan—or, rather, up in Thunder Bay. Atikokan Hydro was there and they said that in their remote rural situation in the north, they have situations where they might have six meters. They're in a very remote situation. They have to build a tower and they have to hook up phone lines. The cost is very substantial—they said up to 80% of the cost of the whole asset of Atikokan Hydro—just to put these meters in.

My feeling is that it should be optional, because in many cases for low-electricity users it just won't make sense. It will cost you money to hook these meters up, and there will be very little savings. I think it should be up to individual residents, the individual consumer, to decide if they think that by putting in a smart meter, they're going to save some money and for them it will make sense.

The Acting Speaker: The member from Peterborough has two minutes to respond.

Mr. Leal: I want to thank the members from Pickering-Ajax-Uxbridge, Simcoe North, Timmins-James Bay and Parry Sound-Muskoka, who provided comments.

I just want to reiterate one of the best real-life examples, Chatham-Kent: 1,000 meters in their pilot study, an all-in cost of \$1.29, verified by a third party, the accounting firm of Deloitte. I'd recommend that everybody in this House take an opportunity to read the results from Chatham-Kent, because it provides detailed background information that's so important to legislators in order to make a decision on Bill 21, which is the smart metering energy conservation initiative.

My colleague the member from Mississauga West in fact had a smart meter installed in his home. He indicated to us in committee the amount of electricity he has saved in his home when he introduced and installed a smart meter to his day-to-day living. Clearly, the member from Mississauga West demonstrates what effect smart metering can have.

If you extrapolate the result from Chatham-Kent and you look at it closely, I think it's reasonable to conclude that the estimates that have been provided by the Ministry of Energy to install smart meters in the province are certainly within the dollar amount that has been sug-

gested for this initiative. When you look at Chatham-Kent and see that people did save electricity and the pay-back was greater than the cost of installing the smart meter, the real value of smart metering and conservation for Ontario is very visible through that study.

The Acting Speaker: Further debate?

Mr. Yakabuski: It's a pleasure to join third reading debate of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2006, and to amend the Electricity Act, 1998.

I would put it to the member for Peterborough—I do appreciate the member for Peterborough's input on the travelling committee as well as that of the member for Stormont-Dundas-Charlottenburgh, the member for Mississauga West, the member for Stoney Creek—I think there's probably at least one more, but I can't think of it right now. Those are members from the government side. I want to thank my colleagues the member for Parry Sound-Muskoka and the member for Haldimand-Norfolk-Brant for travelling and the member for Durham for sitting with me on that committee, and also the member for Kenora-Rainy River and leader of the third party for their input of course.

I would like to know if I could get some kind of commitment from the member for Peterborough who, as you know, is also the parliamentary assistant to the Minister of Energy. He was going on quite extensively about how he applauded the pilot project in Chatham-Kent and quoted that figure very often of, I believe, \$1.29.

Mr. Leal: All in.

Mr. Yakabuski: All in, \$1.29. That's the way we like it: all in, full price, \$1.29. Could we expect it to be a commitment from this government that that is what smart metering will cost? I hardly think so. I heard somebody in the background, the member for Pickering-Ajax-Uxbridge, saying "Probably less."

Probably not. The estimates go as high as \$8, as you know, Mr. Speaker. My friend from Parry Sound-Muskoka indicated that Tom Adams of Energy Probe says the figure could go as high as \$8. This could be another \$2-billion boondoggle like the federal Liberal gun registry: a complete mess that has done nothing but cause problems and solved none.

Hon. George Smitherman (Minister of Health and Long-Term Care): That's why the chiefs of police are in favour of it.

Mr. Yakabuski: The Minister of Health has wakened from his slumber. It's good to have him here tonight.

Mr. Speaker, if I could get back on topic without the heckling from the government side, this could be another \$2-billion boondoggle, as I say, just like the federal Liberal gun registry.

Some things were raised at the committee hearings with regard to smart meters; there is a varying range of opinion as to whether they're worthless, somewhat useful, very useful or the best thing since they invented the wheel. They did run the gamut, and we had varying opinions on them.

There were lot of concerns about smart metering: a lot of concerns with regard to privacy, concerns with regard

to lack of detail. You see, the minister started talking about smart meters months and months ago—I'm trying to think of exactly how many—but as of yet, no RFP, and people who are in the business are asking themselves, "Is the government doing it; is it not?" There's no way they're going to be in a position—they've got a new energy pricing schedule based on smart metering to come into effect on May 1, a scaled price of 2.8, 6.8 and 9.3, depending on the time of day you're using the power. They're not going to be in any position at all to implement that, because none of these meters are going to be in place. We're in February now; we're almost into March.

It's like everything else: The government is great at coming up with an idea, they're great at picking a destination, but they're not all that good at navigating their way there. As Yogi Berra once said, "If you don't know where you're going, you're probably going to end up somewhere else." That's just about what this government is embarking on—a trip to never-never land or something, or maybe they think they're going to Disney World. Who knows? Maybe they think they're going to get cheap power down there.

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Speaking of power—and we'll come back to this smart metering a little later on as well—

Mr. Leal: Let's get back to Bill 21.

Mr. Yakabuski: Bill 21, yes. The member from Peterborough is very good at keeping people on track, although I didn't hear a lot about the bill coming from him; it was more about politics.

Politics: The Minister of Energy has said, "We're removing politics from this file. We're just going to deal with the issues. We're removing politics." Well, I have been speaking to so many people, the stakeholders in this business, and they tell me this file has never been handled more politically than it's being handled by this government. It is just total politics. Do you know why? It's because they have no plan whatsoever. They had no idea what they were doing in this energy file—still don't—but they keep lurching from crisis to crisis and hoping against hope that something is going to actually sound feasible and plausible. But everything they come up with just seems to dig them deeper in the hole.

Some guy from the States once said, "If you're in a hole, the first thing you've got to remember is to stop digging." But not only do these people not want to stop digging, they actually keep reaching up and asking for bigger shovels. They actually look for bigger shovels because they just want to keep digging this hole. I think that if they get deep enough, they're going to think that they can hide and that nobody is going to see them and the people of Ontario are just going to forget about them. They'll be so far down there, they'll be in the dark. The sad part about it is that under this government we are all going to be in the dark.

What do they say, "The last one out, please turn off the lights"? Well, don't worry about it, because by the time this government is done and has finished wreaking

havoc on this province, the lights will be out anyway. The last one out won't have to turn off the lights, because they'll be stumbling their way out in the dark.

Hon. Mr. Smitherman: It sounds like your Saturday—

Mr. Yakabuski: It's very difficult sometimes, Mr. Speaker, to deliver your opinions and your feelings on a serious issue when the people on the other side seem to take it so lightly that it's something to be laughing about.

If this weren't such a serious subject and one that presented Ontario with some of its greatest challenges in the history of this province, it would actually be laughable with what this government is doing and has done.

Let's talk for a moment about conservation, and I say that on a personal basis I really do believe the current Minister of Energy is committed to conservation, she's personally committed to that. I commend her for all her efforts in that regard. I find her, quite frankly, to be a very pleasant person, and I think her heart is completely in the right place.

Mr. Leal: A really bright light on this one.

Mr. Yakabuski: Well, the problem with this government is that the lights are getting turned down.

I do personally like the Minister of Energy, but she's not calling the shots on this file in any way, shape or form. There is only one person who is calling the shots on this file, and it's Dalton McGuinty himself. He is fixated. He is going like a horse with blinders. His whole crew is going to follow him like that group of lemmings over the proverbial cliff when this energy policy, that is so unsupportable and so full of holes and so worthless, just comes crashing down like a house of cards.

On the issue of conservation, we support in every way possible comprehensive conservation, not only in the province of Ontario but everywhere and in every home and business in Ontario. I could go on and on and talk about all of the different things we've done ourselves with regard to conservation. We've done all of that without any help from this government. This government talks an awful lot about conservation—talk, talk, talk. My wife would call them Plapperhanses. They just yip, yip, yip. But as your leader would say, there is no meat in the sandwich. They keep talking, but they're not walking. Places like Home Hardware—and I was in the Home Hardware in Barry's Bay the other day which, incidentally, bears the name Yakabuski's Home Hardware—

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): What did you guys serve in the back?

Mr. Yakabuski: Everything a man needed to keep the world turning right, absolutely. We were the "everything" store. It's still a great store in Barry's Bay. We no longer own it but it still carries the name.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Did you get any women coming in as customers or was it just a place for the men?

Mr. Yakabuski: The Minister of Community and Social Services has pointed out an error.

Hon. Ms. Pupatello: And women's issues.

Mr. Yakabuski: And women's issues. And no wonder. I commend her for raising that point, an error on my part. Of course people of all genders and races and religions and everything else, Madam Minister, were welcome and served very well in that store, and are today too.

Anyway, I digress. I was in that store the other day and bought myself a very good purchase. It was the last available light bulb I could buy. I bought a compact fluorescent trilight. It was the last one we needed; all of the others have already been changed. But we had to have a trilight one to take care of the lamp that had a trilight in it, obviously. We wouldn't be putting it in if it wasn't a trilight. So now we've done them all. But I didn't see any incentives from the government to try to help us buy those. Home Hardware had them on sale. That was a good idea for us. But places like Home Hardware and Canadian Tire and Home Depot have done more to promote conservation in this province than the government has.

In fact the previous government—you know that government that those folks over there just like to rag on continuously, the government that had the EnerStar program for energy-efficient, energy-saving appliances. In 2004, some time between July and September, they just cancelled that program. Do you know what the energy minister said at the opening hearings or someplace there? She said, "We cancelled the program because it was our belief that people were taking the old fridge and putting it in the basement for a beer fridge, so we had to cancel the program." I don't know what empirical evidence they'd have to support that. They may have some that's anecdotal. But do you know what? If I don't need a beer fridge, I'm not going to have a beer fridge in the basement. But do you know what? You still have a washing machine, you still have a dishwasher and you still have a refrigerator—sorry, we replaced that one. So there are other appliances. I don't think you put the second dishwasher in the basement, do you? If you have a load of dishes, you run them—

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Hon. Ms. Pupatello: I'll bet you have a beer fridge.

Mr. Yakabuski: There was a great opportunity to continue to offer incentives to people in Ontario to save electricity, to save energy, to take some of the pressure off the demand in this province that this government, quite frankly—let's face it, they're just lost on that file, completely lost. We'll get to that one in a minute.

Anyway, the previous government, the Progressive Conservative government, had a great program that offered incentives to people to buy energy-efficient appliances. They cancelled it, but in fairness, it was the former Minister of Energy—what's his riding, Windsor something—who did say in July 2004, "Oh, yes, we're cancelling that program, but we're going to replace it with something better that actually saves even more energy and is more of an incentive to save." Well, we're nigh on 17 or 18 months after that—oh, God, wait, 19 or 20; who

cares? It's so long that I can't even count backwards that far. That's how long we've been waiting for a new and better program from this government to replace that very successful program. The only excuse they could give was that people were taking those old fridges and putting them in the basement for beer fridges. So they talk about a new program: "We're going to come and actually get your fridge and get rid of that old energy-wasting fridge." But where is the program? Again, that's that talk, talk, talk. Plenty of that, not much to back it up.

As I say, conservation is an easy one. No party that aspires to government in this province is going to be successful without a comprehensive program that addresses the issue of conservation, because you simply can't allow electricity demand to grow beyond your ability to supply it. You reach the point of, "Sorry, we don't have any more." But we're going to reach that point a lot quicker under this government—a whole lot quicker.

One of their first acts after being elected was to reiterate their promise to shut down, depending upon your figures, today it is probably about 18% or 19%, then it might have been 22% or 23%, of the province's generational capacity when they said, "Yes, we're going ahead, and by 2007 we're going to shut down all coal-fired generation stations in the province of Ontario." When they made that promise, like any one of the 231 promises in the Liberal election document, it could be taken for what it was worth: It was a Liberal election promise. But they did reiterate it, and they have reiterated it repeatedly since. The sad truth is, there's nobody left out there—only the Premier as he lays in bed reading poetry—who continues to believe that it can actually happen.

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): How do you know he reads poetry in bed?

Mr. Yakabuski: Only the Premier, as he reads poetry in bed, and I repeat that. Do you know when it's the slow season? They do stories in the newspapers after Christmas. They weren't quite into the federal election heat yet, and they were writing stories about the Premier, Dalton McGuinty, and how he likes to read poetry. I thought, "Oh, we definitely have to get back to work."

Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal): What's wrong with poetry?

Mr. Yakabuski: There's nothing wrong with poetry; it's writing a story about the Premier reading poetry. I think we could get a better use of ink. But anyway, as he reads the poetry, he's the only one left in this province who believes that somehow he can pull this off. There's not a single member on that side who actually believes it.

Interjection: I believe it.

Mr. Yakabuski: They keep talking about it because they are told, "This is the message: If you want to continue to sit in those front benches, this is the message. And for you people who are in those back benches, if you think you're ever going to get into those front benches, that's the message, because this is the only message I'm allowing you to disseminate across this province." That's what the Premier says.

I want to talk to you about what some other people say about it. I can tell you that the Premier—

Ms. Judy Marsales (Hamilton West): Mr. Speaker, can he talk about energy conservation?

Mr. Yakabuski: Well, I'll tell you about energy because, the direction you're headed with your energy policy in this province, the Premier had better get used to not reading so much Shelley or Keats; he'd better start reading a lot of Edgar Allan Poe stories. That's what he'd better start reading, because it's becoming quite a horror story, the energy file in this province under the leadership of Dalton McGuinty and his blinders-on gang over there.

Tom Adams, who you wouldn't say would be a friend of coal-fired generation, says, "Guys, give it up. You can't do it." You haven't put anything in the ground. There are a few projects; there are some windmills being erected, stuff like that. But we're talking about 6,500 megawatts of electricity. You're way behind schedule; none of those gas plants that you've talked about building has even been started. They haven't even been approved; you've still got fighting going on here and fighting going on there. How in the name of Sam Hill are you going to get any of those things done? You know why you won't get them done? Because you didn't have a plan.

Interjection.

Mr. Yakabuski: I have a note from the opposition. I'll read it later. It's a nice piece of poetry, though. Did I say—it's my opposition; it's the government that is writing me poems now. If I use it in any of my acts, I'll pay royalties; I assure you of that.

Where was I? They just can't do it. They can't come through with their plan because they didn't have a plan. Another one of those old sayings—I didn't invent them: If you fail to plan, you plan to fail.

Hon. Mrs. Bountrogianni: That's the Weight Watchers motto.

Mr. Yakabuski: Is that what it is? I've never been to Weight Watchers, and please, no comments. Nothing against Weight Watchers. Anybody who has a franchise or anything out there, keep doing well. I just hope that when the clients show up a few years from now, there's power. I just hope that there's power there when they show up at your shop, because it's doubtful if there will be, at this point.

As I say, there's nobody out there, other than the Premier himself and his subjects—loyal, at this point—who keep spreading that message.

1950

I listened to a fellow by the name of Ian Delaney from Sherriitt the other day over at Sutton Place. He said, "These people, they're just"—not my words—"insane. This can't be done. Why do they keep insisting on it?" You know what you do? There's no credibility for you people out there in the energy sector.

Hon. Mr. Smitherman: These are coal sellers.

Mr. Yakabuski: Well, let me tell you what Pat Daniel said. Do you know who Pat Daniel is? He's the—

Hon. Mr. Smitherman: Jack's brother?

Mr. Yakabuski: Not Jack's brother. Good call, though. Pat Daniel is the CEO of Enbridge. You would

think that the CEO of Enbridge would be a big-time gas power guy. You know what he said? He says, "These guys have got to get it. You can't shut down these coal plants; you've got to clean them up." Making power is not the best use of the resource of natural gas. There are so many things that can be done with natural gas; so many things that it's better at than making power.

Enbridge made a great presentation at these hearings about getting people off of electricity with regard to appliances and water heating and all of that kind of stuff and getting them on to natural gas—much more efficient, and far more efficient than you'd ever get from generating electricity from a gas plant. It's a better use of the resource, a resource that—again, there are differences of opinion as to how much we have left out there, but the supply is not infinite, so we should make sure that how we're using it is the best way possible. That was from Pat Daniel, CEO of Enbridge. I didn't hear the Minister of Health saying that he was a coal guy, because he's a gas guy. But anyway, there you have it.

I was at a breakfast at the Sutton Place Hotel the other day, and Dave O'Brien from Toronto Hydro was there. Well, I'll tell you, did he have some things to say about this government's energy policy. Here are guys who talk about—oh, I like this one: The Premier has been jumping all over those CUPE people, and he says, "People, please respect the process; I'm asking you to respect the process." That's what he says over and over again: "Respect the process." What kind of process did they respect in the Portlands Energy Centre? They claimed that the bid they accepted was 20% lower than the other bids. The other bids weren't in. Toronto Hydro says, "Hey, our bid wasn't in." My understanding is that they're going to be submitting a bid this week.

"Respect the process" is what the Premier says. The only process they have is the one that is going to further their political goals, even if that means completely—I'm trying to think of a word that isn't going to be offensive here—hiding the facts on power generation in the province of Ontario; completely hiding the facts on the realistic potential of achieving that goal.

They talk out of two sides of their mouths on this. I have a chart here. "We're going to clean up this air, I'll tell you." This is what they're going to do. There are 683 coal plants in the United States, many of them in our airshed. But the Minister of the Environment was on the soapbox the other day, and she was chastising the Americans for concerns that they may ease the standards for coal-fired electricity plants in the United States. It's funny, last summer, that's where a good chunk of our power was coming from, when we couldn't generate enough of it ourselves, even though we had our coal plants running at capacity. Do you know where that power was coming from? It was coming from Michigan, Ohio, Tennessee and all of those places that are primarily fossil fuel thermal generating stations, and we're right in their airshed. That's where we were getting the bulk of that power to keep the lights on in Ontario last year. She's chastising because, you see, they passed a bill, or

rule, or regulation or whatever you might want to call it there—I'm not sure of the terminology exactly—that required them to clean up their plants. The minister was concerned that they might backtrack on that.

I'd like to ask you, what has this government done since they've been elected? The last SCR—that's a selective catalytic reduction unit—that was installed in Nanticoke went in in early 2004. That was done by the previous government. That removes 95% to 98% of the nitrous oxide from the emissions from the coal plant. That was done by the previous government. There has not been one nickel spent by this government to, in any way, mitigate the emissions coming out of our coal plants. You know what's really sad about this? There are tremendous opportunities to do just that if they would only be honest and admit. You see, they're hanging on to this crazy idea that they're going to have these things closed. It can't be done. The time has already ticked away on them, but they can't admit that they're not going to close them now because then they'd be under all kinds of fire from the environmentalists, who would be saying, "If you weren't going to close them, why, in the name of God, didn't you at least clean them up?" There's that failure to plan again. They thought they could do this when everybody told them they couldn't.

Mind you, there were a few groups there that, even though they knew the government couldn't do it, were afraid to tell the government that because, after all, they were the new Liberal majority government, chests pushed out and very proud of themselves. They were pretty powerful, so nobody wanted to take them on at that point. They all thought that maybe, if there were some changes, they'd be able to participate in that and actually be able to work at improving the electricity situation in the province of Ontario. Do you know what? There's not a stakeholder out there that believes a thing they say, because they've lost all their credibility, because everything they've said they were going to do, they failed to do.

You know, we're paying \$30 million a year to the Ontario Power Authority. They give the Ontario Power Authority direction, but when they don't like the political wind that's blowing around, they circumvent that whole process. What were those words again? "Respect the process." You're paying \$30 million out to quality people—I will say the people on the OPA, they're quality people. If you look at the resumés and backgrounds of those people, they're good people. I won't say the government did a bad job of picking their people, because I don't believe they did. But you've got to allow them to do their job. They're not being allowed to do their job; so again that credibility issue.

2000

The government and the minister, who talk about a culture of conservation, have actually become more adept at creating a crisis of confusion, and because they haven't respected the process, a culture of confrontation. That's what you're seeing now in the city of Toronto. Oh boy, there are a lot of people not too happy with the fact that

they didn't respect the process with regard to the Portlands Energy Centre. I guess we're going to hear more about that this week, when Toronto Hydro brings in their bill.

Here's a little something the government put out today; I guess it went out today but the announcement went out yesterday: Our Energy, Our Future. It's a nice little pamphlet of partisan propaganda.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): No minister's picture.

Mr. Yakabuski: No minister's picture; that's correct. If there's no picture, does that mean it's not propaganda? It just means they didn't have a camera that day.

Mr. Speaker, you've got to read this. Here it is. They've got themselves backed up against the wall. They're getting all kinds of heat on their failed energy policy, and instead of—again, going back, what's that thing about no plan?

Hon. Mr. Bradley: Are the lights on?

Mr. Yakabuski: The lights are on. The government House leader says the lights are on; everybody is happy that the lights are on. That is the problem. The government House leader thinks that because the lights are on, everything in Liberalville is just coming up roses. Night is dawning in Liberal-land.

Let's talk about this pamphlet. When you're devising a plan, you expect the unexpected and you prepare to deal with it. You think ahead and you say, "What are the possible pitfalls that could beset us on this journey? On this voyage, what could possibly go wrong?" That is part of the planning process. But when you don't have a plan, it's like setting off on that voyage without a compass or any navigational tools of any kind. You just head out to the high seas, no idea of where you're going.

It's no darn wonder that somebody said at one time that Christopher Columbus was the first Liberal. Christopher Columbus was the very first Liberal. He had no idea where he was going, no idea how he was going to get there, and he did it all on other people's money. That is very much what the Liberals are up to today: no idea where they're going, no idea how they're going to get there, and they're doing it all on other people's money.

Let's talk about this pamphlet again: no plan. You see, if they had thought about this ahead of time they would have said, "Okay, do you know what? We want to plan an exit strategy for coal in the province of Ontario, and we want to do it so that we can ensure that the lights will stay on, we can ensure that this province will be competitive, ensure that manufacturers will have the power they need. Do you know what might be a good idea? Why don't we sit down with the people, the only people who run coal plants in Ontario, and that would be Ontario Power Generation? Let's say, 'What should we do if we want to get out of this?'"

Mr. Leal: On a point of order, Mr. Speaker: While we certainly enjoy hearing about Christopher Columbus's voyage to the New World, I think we are talking about Bill 21, smart metering and the energy conservation act.

The Acting Speaker: The point of order, I take it, is that the member may be wandering. I think the member is on topic, but I would remind him it is Bill 21.

Mr. Yakabuski: Thank you very much, Mr. Speaker, and I respect the opinion of the member from Peterborough.

However, if you read through Bill 21, it's empowering legislation. It's about energy policy. There are no facts and figures here; there is no meat in this bill. It's empowering legislation, it's about energy policy, and that's what we're talking about. Bill 21 is part of this government's energy policy, and I will do my best to quote from it once in a while, boring and painful as that may be.

Where were we? Let's sit down with the guys who are actually in the business and say, "How do we get out of this?" If they had done some of those things, they would have said, "We've got some problems here. You can't do that. You can't just do that any more. You can't just rush to this thing. We've got transmission issues and we've got coal delivery issues and we've got contract issues, all of these kinds of things. Secondly, we have to actually have power to replace it, Mr. Energy Minister or Mr. Premier. So we're thinking that we could have some problems. There might actually be some people who oppose what we're doing. There might actually be some neighbourhoods that oppose what we're doing. There might actually be some First Nations that say, 'If you're going to be putting transmission lines through our land, we want to have something to say about it.' There might actually be some environmental groups that have legitimate concerns. There might actually be a lack of energy people willing to invest in some of your crazy projects.'" That is important, and we're seeing that now: not too many people ponying up the money for this government's energy projects. The industry has no confidence in them, no confidence whatsoever.

So if you had a plan, you would have looked at this as you were devising it and said, "Do you know what? That all-party committee were more on track, that all-party committee that said, 'You can do this, but it's going to take you until 2015 to do it.'" But they weren't interested in all-party committees. They are only interested in themselves. So they set off on that voyage with no navigational instruments whatsoever, and they only set out with half a load of coal to power that ship.

Mr. Howard Hampton (Kenora-Rainy River): You're using the full 60 minutes?

Mr. Yakabuski: Yes. There's some really good stuff yet coming, Howard.

If I could liken it to the voyage of the Titanic—because we're talking about them going off on a voyage—they won't face reality, they won't face facts. They just won't do it. "Blindly we go. Have you seen any landmarks or anything? Have you seen anything we can go by to give us an idea if we're on the right track?" "No, no. We don't care about that. Immer geradeaus"—as my wife would say—"always straight ahead." Immer geradeaus—that's what they're doing with their ship, not

interested in what anybody else is saying—just, "Here we go."

2010

When the Titanic crashed, they struck an iceberg, as you all know. It's a historical fact. I'm not bringing anything new into this debate with that statement. So here we are, it strikes an iceberg, and if you recall the stories of the tragedy, one of the great tragedies in history—and this government is going to repeat it with their energy policy—you barely heard it. The dishes didn't even fall off the shelf from the china cabinet on the Titanic. So they thought, "No big deal." The architect or chief engineer goes down and looks at the damage and he says, "This ship is going to sink. This ship is going to sink in a matter of a couple of hours." But you see, the Liberals were operating the ship. They didn't believe him: "No, no, no, no. We know what we're doing. This ship isn't going to sink. We know what we're doing." So as it's taking on water, more and more water, nobody is doing anything to correct the course or do something, because you see, Ministers Cansfield and Duncan were up on the deck dancing to the music of the band and Dalton McGuinty was going around serving drinks. It's a party. And what happened?

Mr. Bob Delaney (Mississauga West): On a point of order, Mr. Speaker: Standing order 23(b) does request that the member direct his or her speech to the matter under discussion, which matter seems to be a recounting of James Cameron's Titanic and not any matter pertaining to energy conservation or smart metering.

The Acting Speaker: The point of order is that the honourable member thinks you are straying somewhat from the topic. I would ask that you remain as focused as possible on Bill 21.

Mr. Yakabuski: Thank you very much, Mr. Speaker. Apparently the Liberals have the blinders on so bad they don't even want to hear analogies. We're trying to draw attention to the silliness of this policy. When we re-enact or talk about the tragedy of the Titanic, part of it was because people didn't believe it could happen. They wouldn't get on the lifeboats because they didn't believe that ship was going to sink. Well, this ship is going down, folks. This energy policy ship that we're sailing on in this province is going down. We are ensuring that the lights will fail in this province, because this government doesn't want to admit how wrong it is.

If I can't make that analogy, Mr. Speaker, then I don't know how we're going to have debates in this House, because you have to be able to offer opinions on the bills that are presented before you. I'm trying to draw attention to the failure—the failure—of this government's policy and the fact that they can't seem to see what's ahead of them. They're going into an iceberg—that's what they're doing—and they're failing to admit that it's there.

Let's talk about this pamphlet, because Our Energy, Our Future—and of course Bill 21, the bill we're debating on. I want the member from Mississauga West to be very, very comfortable that this is in fact the piece

of legislation we're dealing with tonight, Bill 21. This pamphlet—again, if they had a plan for electricity they would have gone to the people long ago. They would have asked them, "What do you think of our electricity policy? What do you think about the direction we're taking with regard to supply management, conservation demand management? Do you think we're on the right track in this province?" No, they wouldn't do that. They wouldn't do that. Heck, no, Liberals don't ask for other people's opinions. They do other people's thinking for them. That's what they try to do, because they consider themselves to be far superior to the average working joe in this province.

Now they have a problem. Again, they forgot to plan. They've got this opposition coming up against them on many of their policies. So now, after the horses are gone out of the barn, "Oh, ladies and gentlemen, may we have your opinion? Would you mind telling us?" But no, they're not asking you for your opinion; they're telling you what your opinion's going to be. This is a rehash of their policy. This is not a consultation process. This is not where you, freely and openly and accepting of other people's viewpoints, go out and ask them what they think or how they feel. This is a piece of propaganda. They're going out and saying, "We're going to tell you what we're going to do in energy. Now we'd like you to get on board." This is rubbish. Rubbish. Total rubbish; \$1.1 million worth of rubbish. I wonder if the Minister of Health could tell me how many knee operations you can do with \$1.1 million—he could probably tell me right down to the penny; I know he knows his file—\$1.1 million for this piece of Pravda. That's what that is; this is pure propaganda. They're not asking people for their opinion.

Let me read an excerpt from it. They're going to tell you what to decide here. Talk about framing the issue and framing the question. This is terrible. I thought you guys passed—the House leader could tell me—was it Bill 25, about advertising, partisan advertising? Oh, my goodness gracious, this is as partisan as it gets.

Hon. Mr. Bradley: That's not partisan.

Mr. Yakabuski: They don't like it when you tell them they're being partisan, Mr. Speaker. But you find me an objective person out there who'll look at this and say, "Oh, come on. You mean we paid for this?" I might say to them, "Well, yes. You're a taxpayer in the province of Ontario. It cost you \$1.1 million." "You have got to be kidding," they'd say to me. Rubbish.

The IESO—do these people know what they're doing? One of those front benchers could tell me: Do we have confidence in these people? Do they know what they're doing?

Hon. Mrs. Bountrogianni: Prop. Put it down.

Mr. Yakabuski: This is a report, Mr. Speaker, that was given to this Legislature. It is no prop; I can assure you that—it's factual.

The IESO says, "You're going to have to keep that coal infrastructure in place, ladies and gentlemen. You can't dismantle it. You can't close the stations. We're not in a position to do that."

You know what? When you go to do something, you've got to know what you're going to create. Here we have a situation now where everybody in the sector says you can't do it. They're going to do it anyway. What are we going to do about the contracts we've got? They haven't even addressed it, but behind the scenes they're going to, let me assure you. They don't want to admit that they're wrong, but behind the scenes they're going to have to ensure that on January 1, 2008, they've got fuel to service Lambton. They're going to have to make sure it's there. They're going to have to make sure that, prior to that, they've got shipping schedules booked, shipping lanes available. You're going to have to make sure that they've bought from the mines so that they have fuel. You can't do that overnight. You can't go to Loblaw's and pick up that stuff.

The other thing: What about the human resources that it takes to operate these facilities? The best are moving on, where there are other opportunities. So when you've got to keep these things going in 2008, you're not even going to have the people there, and if you do, it's going to cost a lot of money to take care of this mess you've created. It's a lot easier if you know what you're doing than if you have to dance around in circles and go backwards and forwards all the time. It takes a lot longer to get there when you're going two steps forward and three steps back. In fact, at that rate you'll never get there. So I just don't know how they're going to get there.

2020

This thing here: Where are the parameters? When are we expecting input on this and when are they going to table it? On December 9, the minister said, "We'll respond to the OPA's report in 60 days." Well, 60 days, by rough calculation, would put you somewhere between February 7 and February 9.

Hon. Mr. Smitherman: Oh, my birthday is the 12th.

Mr. Yakabuski: I'm sorry I missed it. Happy birthday.

That would have meant that she would have had to respond to it at least a week and a half ago. No response but, "Let's go back and spin our wheels a little more." They're not interested in what people have to say. They're just interested in saving their you-know-what.

I think it was in December 2004 that they put out a green paper on LDCs, and all of the input had to be back by February 15, 2005. It's already more than a year and we've heard nothing from this government. This was going to determine what the role of LDCs was, or about restructuring LDCs, because they thought maybe we have too many, all of this kind of stuff. They wanted responses to that green paper. The government demanded it: "We've got to have it by February 15." Of the public, whoever wanted to respond to it did. The stakeholders responded, with I'm sure considerable work, effort and expense on their part. What is it doing now? It's a paper-weight on the minister's desk, I guess, or something; I don't know. But no release of the report. That's the kind of game they're playing.

I only have a couple of minutes left and I want to get back to the bill. Smart meters: Are they going to work? There are a lot of questions about how they're going to work and how well they'll work. For example, we had a gentleman—the Minister of Natural Resources would find this interesting, I'm sure, because he's pretty careful on his own hydro bill, I've heard. The fellow was in Simcoe, and he has a hydro bill of something like \$16 a month. His last name was Church, I think. He says, "How am I going to save any money with a smart meter?" Of course he's not going to save any money. This guy is a smart meter. He's got it down to a science. There are all kinds of people out there who will make no changes based on having a smart meter in their home. Why would we not make those things voluntary? If something is so good, you know what? You're going out to buy it. If it is the best idea since sliced bread, you're going out to buy it. You don't have to be mandated to buy it. If it's a great idea, you're going out to buy it. So those people who would most benefit by the installation of a smart meter in their home will be out there with bells on. If it means something positive to them, they'll be out there buying it.

But what's the government going to do? They're going to put 4.5 million in the province by 2010. Do you know what Toronto Hydro said? They will have to install over 15,000 of these a month. Do you know how taxing it's going to be on resources to get that done? Fifteen thousand a month may not sound like a big number in Toronto, but you've got to shut the hydro down to do it, you've got to make appointments, all of this kind of stuff. They just have no idea what kind of messes they create. The only thing we can be absolutely certain of is that as they become more and more confused with creating one mess, they will do everything they can to create another one to divert attention from the one they previously created. That is one thing we can certainly be assured of with this government. I don't know where we're going to go with this, but I'm not very encouraged by what I've heard so far.

The Acting Speaker: Questions and comments?

Mr. Bisson: Quite an interesting speech; he covered a lot of bases, I thought, with regard to this particular bill. There's one thing I want to raise, and I wonder if my good colleague from Renfrew–Nipissing–Pembroke can speak to it: Why, if the government is so serious about dealing with energy efficiency, haven't they put any programs forward to assist either the homeowner or industry, in terms of pulp and paper and mining, or the retail sector to find ways to reduce their reliance on electricity?

We know, for example, that thousands of apartment buildings have been built across this province that are very badly insulated. We know that a lot of buildings have windows that are probably no better than leaving the window open when it comes to keeping the heat inside a building. If you were to deal with those issues alone—making sure we retrofit buildings with windows that actually do the job they're intended to do, that is, to keep the heat in and the cold out in the winter and to keep

the hot out and the cold in during the summer; and also put in insulation—that would save a huge amount of electricity in the system, electricity we wouldn't have to generate. Why is it that they have no programs to respond to that issue in any meaningful way?

For industry, why is it that they don't have programs where they go to the large utility users in this province, such as Tembec, Falconbridge, Columbia Forest Products and all the rest of them, and say, "Listen, if you're prepared to invest in your companies"—which they are and they have; it's not as if they've not done some of this on their own—"the provincial government is going to provide encouragement through some type of program to offset your capital costs"? These companies now are having such difficulty, and it would help to reduce their overall reliance on electricity, and thus we would not need to generate as much electricity in the first place.

Mr. Brownell: I am proud to have a few moments this evening to speak on Bill 21 and to follow the comments made by the member from Renfrew–Nipissing–Pembroke. I would first of all say how pleased I was to have had that opportunity of moving out to Simcoe, Chatham and Thunder Bay to get opinions from across the province, with my friend from Peterborough, Mr. Leal, taking the leadership there and doing a great job. You certainly did a great job, and I was proud of your efforts.

I'd like to hit upon the opinions of Ontarians regarding this bill. This bill has been up for public comment on the Environmental Bill of Rights registry. We've had standing committee opportunities and opportunities for Ontarians to write in. They've had ample opportunity to express opinions. I would like, some day, for the member from Renfrew–Nipissing–Pembroke to just get in touch with Volker Thomsen, president of St. Lawrence College. If there is any man in Ontario who knows energy and knows what we're doing and knows the work that the good member we have as our Minister of Energy did when she was a parliamentary assistant in the area of energy conservation and what she continues to do in that regard—well, I would say call Volker Thomsen. Have a meeting with him and you'll be surprised at what he has to say about where we're going on the energy file, where she has gone in the past on the energy file. In fact, there are many times that he has called me up, many times that I've met him in person, and he's made comments about the opportunities that we have put before this House and before Ontarians to look at that and to build on that conservation culture that we're trying to have here in Ontario. I'm pleased to have the opportunity to speak on this.

2030

Mrs. Julia Munro (York North): I'm pleased to be able to offer a few comments on the remarks given to us this evening by the member for Renfrew–Nipissing–Pembroke. The government, in introducing this bill, has placed a great deal of emphasis on the notion of conservation. I think all of us would agree that it's certainly very noble in its concept, but when you look at it with

close scrutiny, obviously it raises a great many issues. I think that it assumes that we, as Ontarians, are very wasteful in our use of electrical power; in fact, I think there are probably very few in this province who are consciously wasteful.

I think of the average working family, where the peak time use is one of necessity. Obviously, that peak time refers to the time at which meal preparation is done; it's the time when the washing machine is working at the same time as the stove. It's the time when the dishwasher and the television or the computers are working at the same time. It's the time when lights are going to be around the house as family are engaged in the many activities and tasks of homework and household responsibilities.

So for us to think that people now, because they pay for a smart meter in their house, are going to suddenly be able to take those necessary tasks and put them into a period of time in the middle of the night is totally unrealistic. This whole issue of conservation has been blown into something that nobody wants to talk about in detail; they only want to embrace it as a concept.

Mr. Hampton: I listened with great interest to the one-hour marathon of my colleague from eastern Ontario. One of the points that he alluded to briefly, but that I hope he would talk a bit more about, is the fact that when the public hearings were conducted we asked a number of presenters if they had seen a cost-benefit analysis for the smart meters. Given that this is going to be at least a \$1-billion investment, and quite possibly a \$2-billion investment, one would think that the government would have a business case, that they actually would have sat down and looked at, what is this going to cost and what's it going to produce? We asked, "Have you seen a cost-benefit analysis? Have you seen a business case? Before McGuinty blows \$2 billion on this, have you seen a business case?" I don't remember ever hearing any of the presenters say that they had seen a cost-benefit analysis or a business case.

So I wonder if my colleague would elaborate on that a bit, because I'm quite sure he was at the same public hearings that I was at, and I'm quite sure that out of all the presenters not one could say that they had seen any kind of cost-benefit analysis, any kind of business case. I think it's astounding the government would consider blowing \$2 billion with no cost-benefit analysis, no business case.

The Acting Speaker: The member for Renfrew-Nipissing-Pembroke has two minutes to respond.

Mr. Yakabuski: I just want to speak briefly to the comments. I want to thank the members for Timmins-James Bay, Stormont-Dundas-Charlottenburgh, York North and Kenora-Rainy River for their comments. Just to touch on some of those, the member for Timmins-James Bay had questions about what the government is doing for true conservation and retrofits and upgrades and real, if you want to call it, low-hanging fruit for conservation. Well, as far as we know, they're doing nothing. But that's not surprising with regard to this government.

To the member from Stormont-Dundas-Charlottenburgh, we didn't say there was nobody out there who thought that this government was doing a good job. Actually, I was out there the other day and I found two. So nothing is unanimous.

The speaker from York North and the leader of the third party, from Kenora-Rainy River, you raised the question, basically, about what analysis has been done to actually determine that this will have a cost-benefit. We're not talking about just a pilot project that says they might cost this much to have in place, but what are the actual cost-benefits? How much electricity are we actually going to conserve based on smart metering, and measure that against the cost not only of the implementation but the ongoing costs of maintaining and administering them. He is absolutely quite right: There has been nothing presented in that regard. If there is, then I think the people of the province of Ontario have a right to see that. Certainly, the leader of the third party should have an opportunity to see that. The Leader of the Opposition and members of the opposition—both the official opposition and the third party—should have an opportunity to debate those kinds of issues. So if you have information there, we need to see it. We don't get too much when it comes to facts and figures from this government. They tend to want to hide them. Maybe they're ashamed; I don't know.

The Acting Speaker: The member from Kenora-Rainy River.

Mr. Yakabuski: You're going to run the clock, eh?

Mr. Hampton: I'm going to run the clock, yes.

I'm pleased to be able to participate in this debate. Not that there's much in this bill; in fact, after the government talked so much about this bill and said, "Oh, the bill is coming, the bill is coming," to see what a slender offering it is, is quite disappointing. In fact, while the government entitles the bill the Energy Conservation Responsibility Act, I think it should really be called the nuclear future act. Because the anemic measures that it would put in place in terms of energy conservation and energy efficiency only confirm that the McGuinty government's real electricity policy is, "Go nuclear and go big and go now." Because there is virtually nothing in this bill—nothing—that will make any significant contribution to energy efficiency, energy conservation.

In fact, it's amazing—this bill was talked about by the government in the first couple of weeks after assuming office: "Wait until you see our energy efficiency, energy conservation bill. We're going to be the leading edge." I think people across Ontario heard this lingo about the culture of conservation over and over again, and were really expecting to see some meat in the sandwich. Not only is there no meat in the sandwich, there is really no sandwich here. This is all about rhetoric and no substance.

I want to demonstrate that. Because we heard from a lot of presenters from the environmental community who basically asked the question, "Where is the substance? Where is the energy efficiency? Where is the con-

servation? We see the gimmicks, we see the photo ops, we see the speeches, but where is the substance?" Most of them had to conclude that there is no substance. This continues to be a lot of rhetoric, a lot of hot air, a lot of gimmicks, but no substance.

What's really sad about this, though, is that from day one, virtually, the McGuinty government has had all kinds of non-government organizations who have done excellent work, good research, who have tested that research with other non-government organizations and other jurisdictions: in California, in New England, in Manitoba, in Quebec. They came forward and offered all kinds of very practical, very specific recommendations. Let me just point out one—and this is an excellent study—by the Canadian Environmental Law Association and the Pembina Institute. It's called, *Power for the Future: Towards a Sustainable Electricity System for Ontario*. The Canadian Environmental Law Association and the Pembina Institute presented this study, with its recommendations, two years ago now, in the spring of 2004. It's just chock full of very practical recommendations. I want to read some of them so people will understand just how practical they are: "The government of Ontario should adopt minimum energy efficiency standards under the Energy Efficiency Act equivalent to the energy efficiency levels required for Energy Star labelling for all major electricity-using devices and equipment...."

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What do we mean? We mean fridges, we mean stoves, we mean freezers, we mean air conditioners: all those electrical appliances that people use in their homes. They're simply saying that you should set some energy efficiency standards and then have a labelling exercise so that when people go to the hardware store and they want to be environmentally responsible and they want to purchase a high-efficiency refrigerator, they'll clearly be able to do that; if they want to get a freezer that is very energy-efficient, they'll be able to do that; and if they want to get some other appliance that is very energy-efficient, they'll be able to do that. That's a very practical recommendation to which I think most people in Ontario would say, "Gee, that's a good idea and it's a very practical idea." You don't have to spend billions of dollars to do it. You basically set the standard and require the labelling. Certainly there should be somebody out there producing appliances who would want to appeal to those environmentally responsible people.

Did the McGuinty government do that? No, they didn't. They didn't do it in 2004, didn't do it 2005, they haven't done it in 2006, and they're not going to do it with this bill.

Another very practical recommendation, so practical, so elementary that I think any carpenter would be able to tell the government this: "The provincial building code should be amended to require R-2000, Canadian building improvement program ... or equivalent energy efficiency performance for all new buildings and building renovations...."

That's what they say. If you want to use less electricity and if you want to use less energy overall, a practical step: amend the building code so that any new home that is built, any new apartment that is built, any new office tower that is built will be energy-efficient. It means energy-efficient windows, yes. It means good insulation, yes. It means employing some slightly different building techniques. It means insulated doors, yes. But all of these things are available. All that would be required is for the McGuinty government to have the political will to do it.

Did the McGuinty government do it in 2004? No. Did they do it in 2005? No. Are they going to do it with this bill? No, they're not. In fact, it's another practical recommendation that is not going to happen.

Let me give you another example: "The most energy-efficient technologies in all sectors and end uses should be labelled through the Energy Star program or, if not included in Energy Star, through a provincial labelling system." Again a very practical recommendation. Let's say they're building a supermarket and they want to know, in terms of the freezers and the coolers and all the other appliances or all the other work that they may want to do in that supermarket, if they want to be energy-efficient, they would be able to do that with the help of the Ontario government.

Has the McGuinty government done that? Did they do it in 2004? No. Did they do it in 2005? No. Are they going to do it with this bill? No again.

Another example: "The government of Ontario should establish a partnership with utilities, financial institutions, energy service companies, municipalities, and other stakeholders to offer a series of financing mechanisms to assist electricity consumers in all sectors to finance the adoption of energy-efficient products and technologies and measures out of the savings they will achieve through these investments."

Basically they were saying, "Look, if we want people to get rid of the old appliances, if we want people to get rid of the old freezers, if we want supermarkets to get rid of the old inefficient coolers and freezers," and if you want to do it fairly quickly, one of the best ways to do that is put in place a financing mechanism. They're not saying the government had to do it all alone. They're saying you should work with the utilities, with financial institutions, with energy service companies, municipalities, other stakeholders, perhaps the federal government, to ensure that people, especially if they have low or modest incomes, can take that inefficient fridge, freezer, or stove, all of which use too much electricity, and replace them with new, very efficient appliances.

Did the government set up a financing mechanism? Did they even call together potential partners and other stakeholders to do this? Did they do it in 2004? No. Did they do it in 2005? No. Are they going to do it with this bill in 2006? No.

Another recommendation, again a very practical recommendation, was given to the government over two years ago: "The government of Ontario should enter into

an agreement with the federal government under the auspices of the federal government's Kyoto protocol implementation plan to share the costs of providing the following financial incentives for the adoption of energy-efficient technologies:

- grants for high-efficiency home energy retrofits and new R-2000 homes;

- grants towards the additional cost of new high-efficiency commercial buildings, and commercial building retrofits;

- sales tax rebates for all Energy Star products in all sectors and small-scale renewable energy power sources;

- business tax credits for industrial energy-efficient equipment and cogeneration systems.”

They're very clear. The federal government already does some of this—pretty minor, pretty meagre—but there was an opportunity to do something positive, practical and very progressive on this front. Did the McGuinty government do this in 2004? No. Did they do it in 2005? No. Are they going to do it with this bill in 2006? No again.

Another recommendation: “Mechanisms to ensure the delivery of programs to low-income consumers should be incorporated into the demand-side management mandates and incentives provided to energy and electrical distribution utilities. A specific portion of DSM spending should be set aside for this purpose, including revenues from the public benefits charge,” which is talked about later.

This again is a very practical recommendation. This group, the Canadian Environmental Law Association and the Pembina Institute, recognize that a lot of low- and modest-income households might not have the money. They might not have \$1,500 or \$2,000 to go out and buy that new energy-efficient fridge. They might not have \$1,000 sitting around to buy that new energy-efficient freezer. They might not have \$1,000 sitting around to buy that new energy-efficient stove. They're saying that to be equitable and fair and really achieve something on energy efficiency, you've got to have this strategy for low- and modest-income households.

Did the McGuinty government do this in 2004 when it was first recommended? No. Did the McGuinty government do this in 2005? No. Is the McGuinty government going to do this with the current bill? No again.

Another recommendation, again a very practical one: “The government of Ontario should adopt legislation creating a new agency, the Ontario sustainable energy authority, reporting to the Minister of Energy, to lead and coordinate the province's energy efficiency efforts. The agency function should include:

- “—the coordination and oversight of the development and implementation of provincial energy efficiency standards and labelling programs;

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- “—ensuring the consideration of energy efficiency in the policies and programs of provincial government agencies;

- “—the ongoing assessment of the effectiveness of energy efficiency programs being delivered by utilities

and provincial agencies, including low-income programs and the provision of recommendations for their improvement to the provincial government and the OEB;

- “—the forecasting of province's future electricity needs;

- “—research, development, and education and information dissemination on energy-efficient technologies and practices.”

In other words, there ought to be someone reporting directly to the Minister of Energy driving energy efficiency. Did this happen in 2004? No. Did it happen in 2005? No. Is it going to happen with this bill? No again. Yes, we have somebody who is called an energy efficiency officer now, but this person doesn't report to the Minister of Energy. This person doesn't drive energy efficiency. He sits over in the Ontario Power Authority building and doesn't say much while they talk about building mega-nuclear plants and mega-natural gas plants and has virtually nothing to say about energy efficiency and energy conservation. Once again, a very practical, very realistic, very progressive recommendation from the Canadian Environmental Law Association, and the McGuinty government didn't do it in 2004, they haven't done it in 2005 and they're not going to do it with this bill either.

I think if people were to read this, they would just be astounded—just astounded—at all of the recommendations, all of the good, practical information that has been available to this government since virtually the day they assumed office in terms of what can be done now—not a year from now, not two years from now, not five years from now, but what can be done now—in terms of energy efficiency to reduce the waste of electricity, to reduce the overall consumption of electricity. What has the McGuinty government done with these good, practical suggestions? Virtually nothing. Virtually zero.

That's why I think so many environmentalists are so very disappointed with this slender, slender offering. The McGuinty government has the nerve to call it the Energy Conservation Responsibility Act, and it does virtually nothing. It implements virtually nothing. It adopts virtually nothing. It is, again, another one of those bills that has a fine-sounding rhetorical name, but in substance there isn't much to it. Now, as I say, that's why we should really call this the nuclear future act. Because the government that has done nothing now in three years on energy efficiency and energy conservation is literally pushing the province into the arms of the nuclear industry.

I remember a famous speech that John Snobelen, the first education minister under the Conservatives, gave under the Mike Harris Conservatives, where he talked about, “The key to turning the education system upside down in the province is the need to create a crisis.” If you look at what has gone on with the electricity supply in this province over the last two years—virtually no new supply and no energy conservation, no energy efficiency strategies—I'd say what the McGuinty government has really been up to is trying to create a crisis and then say,

"The only thing we can do is go nuclear, go big and go now," and that's exactly what they're doing.

Those are some of the practical things that were offered up by a number of environmental organizations. I want to get into some of these in greater detail, because it really does tell a story. I want to first take the Green Energy Coalition. So people know, who is the Green Energy Coalition? One member organization is the David Suzuki Foundation. I think people are used to seeing Mr. Suzuki on television, one of the leading voices in terms of the need to confront global warming, to confront climate change and the need to adopt energy efficiency strategies. Another is the Energy Action Council of Toronto, another is Greenpeace Canada and another is the Sierra Club of Canada. So the Green Energy Coalition is not some people who fell off the turnip truck last week. These are people who have been around for a while. They don't just operate in Ontario. They operate literally across Canada. In fact, in many respects they now operate across the globe, in terms of their research, their knowledge, their experience and the effort they put in. As the group says, the Green Energy Coalition was formed over 15 years ago to intervene in regulatory proceedings in support of energy efficiency and environmental sustainable energy policies. It has participated in dozens of hearings and policy-forming processes, significantly influencing demand-side management or conservation rules for both electricity and natural gas.

What do they say about this act? The first recommendation they make is to say, "We welcome an act, but you have to do something right up front and centre. You have to add a conservation-first directive." Can you believe that the government would come forward with a bill they call the Energy Conservation Responsibility Act, yet nowhere in the bill is it made clear that it must be conservation first before you go contemplating big nuclear or big natural gas? That's not in the bill. The bill doesn't say conservation first. That's why these groups are critical.

They also make the point that, "The efficiency resource"—energy efficiency and the potential of energy efficiency—"is very large and it's very cost-effective." They go through some demonstrations from other jurisdictions, and that's what I think is so enlightening here. For example, by 1996, American electric utility energy efficiency strategies had lowered demand by 29,000 megawatts. What is significant about 29,000 megawatts? Well, what's significant about it is that that's more than Ontario's all-time peak consumption of electricity. In other words, if we took some lessons from some of those utilities elsewhere that have invested seriously in energy efficiency, we could really make a big difference in Ontario.

But they go on. Again, they say, "The efficiency resource is very large and it's very cost effective. California alone has built 12 conservation power plants with energy efficiency investments or they've displaced the need for 12,000 megawatts of generation capacity." You know what? Do you know when they started doing this

seriously? It really wasn't that long ago. If you actually look at some of the big jumps, they got very serious about it only about 10 years ago. What is significant about 12,000 megawatts? That's the equivalent of three Darlington nuclear plants. At a time when the McGuinty government wants to build 16 more nuclear units—they say \$40 billion for more nuclear plants—the lesson of California is, "Hey, we can save you from having to build three of those." Again, this wasn't rocket science. They detail how they did it by adopting energy efficiency appliance standards. In other words, in California you can't buy an electric fridge or freezer or stove or air-conditioner unless it meets the energy efficiency standards. You can't put it in. California saved the equivalent of 2,000 megawatts. There is two nuclear units right there, two nuclear units you don't need.

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By adopting building standards—remember building standards? The Pembina Institute said to adopt up-to-date energy efficiency building standards and reduce the wastage of electricity and other energy that way. By doing that, California has saved 4,000 megawatts—just by doing that. No rocket science, no razzle-dazzle, no photo ops, which the McGuinty government is so fond of holding: Just update the building code. California has saved the equivalent of one Darlington nuclear plant in total: 4,000 megawatts.

Then they put inside some demand-side management strategies. I'll give you an example. After the Enron fiasco, after Enron created an artificial electricity crisis in California, started shutting down generation stations to create an energy shortfall and then drove the price of electricity through the roof, after Enron engaged in that bit of nefarious activity—by the way, it wasn't that long ago that members of the Conservatives and members of the Liberals, one Dalton McGuinty, were all in favour of bringing the Enrons to Ontario. Privatized generation, privatized transmission: The Conservatives were all in favour and Dalton McGuinty was all in favour. Oh, he tried to deny it, until Global Television produced the tapes where his mouth moved and the words were uttered: "Yes, privatize even transmission. Privatize Hydro One."

But that experiment in full-scale privatization/deregulation led California, as a result of the crisis that happened in 2000-01, to implement demand-side management strategies. What was one of their most effective strategies? It was called the 20/20 program. Basically, they paid people and they paid businesses and they paid industry at certain times to shut down their operations and conserve electricity. If you reduced your electricity consumption by 20%, you got a 20% cut in your bill. That was very, very effective. It was incredibly effective. Those demand-side strategies, where you literally provide people with incentives not to use electricity, let's say at peak hours or at peak times of the year, resulted in savings of another 6,000 megawatts. That's not just short-term but now permanent savings of 6,000 megawatts. What is that the equivalent of? That's the equivalent

ent of Darlington plus Pickering A—another one and half nuclear plants that you don't need. That's how cost-effective energy efficiency is.

So in terms of, "We have to go nuclear, and we have to go big nuclear, and we have to go big nuclear now," which is the siren song of the McGuinty government, California is saying no, you don't. It's more cost-effective, it's more efficient and it's better for the environment if you develop thoughtful energy efficiency strategies and you implement them systematically across the province.

But is that what the McGuinty government is doing? Not at all. Not in this bill. They didn't do it in 2005. They didn't do it in 2004.

More information on this: "The conservation resource"—again this is the submission on the bill—"is very large and cost-effective. A recent study of 10 US states shows average annual savings of 0.4% of utility sales. The leading states are saving 0.8% of annual sales: California, Connecticut, Rhode Island, Massachusetts and Vermont." You don't have to go to California to see some of this. If you go to Massachusetts or to Rhode Island, basically if you go to New England, the New England states have put in place some very practical, very nuts-and-bolts energy efficiency standards, and part and parcel of it is demand-side management. When you get into those very hot days of summer, actually paying some industries not to operate, you basically say to them, "We will provide you with some money so that you're not going to lose a lot of money, but we're going to ask you not to run your most energy-intensive operations," or you provide homeowners or apartment dwellers with some incentives, saying, "We're going to give you a real cut in your hydro bill if you'll help us save electricity use at this time of the year."

These recommendations—not just recommendations; this is actually happening. Did the McGuinty adopt any of that in 2003? No. Did they adopt it in 2004? No. Did they adopt it in 2005? No. Are they going to adopt it through this bill? No again. Incredible, absolutely incredible.

There are some other interesting things contained in this brief. The one I like is this graph. This graph basically shows the relative investment of different jurisdictions in energy efficiency. I've been using California and New England as examples, but you know what? You don't have to go that far away. All you have to do is go to the province of Manitoba, which does not have an electricity crisis; they've got more electricity than they need. But Manitoba is investing 3.44% of annual revenue requirements in energy efficiency. So that's Manitoba, up here, making a big investment, and then there's Vermont and there's California and there's British Columbia—British Columbia is way up here, and British Columbia isn't facing an electricity crisis. Let's see: Who else is way up there? Well, my, my: Massachusetts, Connecticut. But who do you think is way down here, this little wee smidgen on the graph that you can hardly see? Who do you think that jurisdiction is, that's only investing 0.17% of the annual revenue requirement in energy

efficiency? Who do you think that might be? I'll give you a hint: It's a government that boasts about its energy efficiency. It's a government that holds photo op after photo op after photo op. It's a government that has the nerve, the gall, to talk about creating a culture of conservation. It's a government that has the nerve of bringing forward a bill that they call the Energy Conservation Responsibility Act but which has no substance in it. This government that is doing virtually nothing on energy efficiency and conservation as compared to other jurisdiction in North America is the McGuinty government. Embarrassing. Shameful. You all ought to be hiding under your desks, yet you go around the province and you talk about how you're going to create a culture of conservation and you spend millions of dollars on these superficial television ads that aren't going to save one watt of electricity. Shameful. But that's the truth, and that's why so many environmental organizations came to the hearings and, literally, it was very difficult for them to sit there with a straight face given how little this government has done.

The Green Energy Coalition, the David Suzuki Foundation, the Energy Action Council of Toronto, Greenpeace Canada, the Sierra Club of Canada weren't alone: There's the Conservation Council of Ontario, and they make many of the same recommendations. They say, "Look, we're pleased to come and talk about conservation and we're pleased to come and talk about energy efficiency, but can we please have some now?" They go through the recommendations. They say:

"(1) Raise home efficiency standards in the Ontario building code to a minimum rating of EnerGuide 80;

"(2) Require energy efficiency labelling of all homes, starting with new homes and incorporating existing homes on resale;

"(3) Provide immediate financial incentives in the 2006 budget for investing in conservation, including

"(i) PST exemption on conservation supplies

"(ii) linking electricity surcharges to conservation financing;

"(4) Invest in conservation renewable resources...."

These are their recommendations. Are any of these happening in this bill? No, not at all.

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They also did some other interesting work that I think ought to be added to the record on this. They actually did some polling. They hired a pollster to go out and do some polling, and this is what they found: In terms of personal commitment to conservation and energy efficiency, people are prepared to purchase and install compact fluorescent light bulbs, are prepared to go out and purchase insulated doors, that many people, if they have the money, have upgraded to more energy-efficient appliances, and that many people, if they have the money, are prepared to go out and insulate their basements and add extra insulation to homes. In terms of policy support, 95% of respondents wanted new homes to be insulated to meet the highest energy efficiency standards. So 95% of people want to see the building code changed so that

homes are insulated to the highest standard—95%. Some 93% felt that renovations should also meet the highest energy efficiency standards; 89% support an energy efficiency label for new homes; 85% want the government to invest in incentives and low-interest loans for conservation; 80% support increasing energy efficiency standards in the building code.

People are being very, very clear about what they want. So why isn't the government doing it? Let's take, for example, the building code. If 95% of the people want the building code to reflect more energy-efficient standards, who do you think would be opposed to that? Let me just offer one possibility: developers. In fact, we know that when the building code was actually downgraded under the Conservatives, the major interest lobby that said, "Lighten up the building code," was developers. You know, you get all this rhetoric from the McGuinty government about, "Oh, we're going to create a culture of conservation." Just don't look too close, because you won't find any. That's what they talk about and they run these superficial ads on television. But who are they actually listening to when it comes to energy efficiency in buildings? I think they're listening to developers—developers who do not want more energy efficiency, because frankly, if you have to put more money into energy efficiency, you may have to take a little less in profit. The margin gets shaved, as they say. That's who the McGuinty government is really listening to on this front.

But there are more. I want to talk about Green Communities Canada. If I may say, I was part of the NDP government that actually put government money into the green communities strategy. With all the rhetoric of the McGuinty government, the green communities strategy remains the most effective energy efficiency vehicle in Ontario. They're the people who are actually doing something out there. I just want folks to understand what Green Communities Canada does. They're active in many communities. If, for example, you want to have your home looked at, if you want an audit done to see how energy efficient or inefficient your home is, Green Communities will come and do it for you. They operate on a not-for-profit basis. They'll come and look at your appliances and your insulation and your doors and windows and your heating system and they'll tell you; they'll make some recommendations for you. So they're doing very good work out there. I was very pleased that I was part of a government that said, "We're going to support this group and organization financially so we can get energy efficiency off the ground."

In any case, they came forward. Just to show you, they've "completed 50,000 EnerGuide for Houses assessments, a fifth of all the evaluations performed Canada-wide. In Ontario," the Green Communities strategy of "certified energy advisers have completed over 45,000 evaluations, or three out of five." They "have established the highest standards of technical excellence and quality control in" their program, "offering Natural Resources Canada advice and assistance in program modifications."

Again, these are folks who didn't fall off the turnip truck yesterday; these are people who know something about energy efficiency. They've "championed the establishment of a national energy efficiency program for low-income households, who can least afford to pay rising energy bills but often lack the means to control bills through efficiency improvements."

What did they recommend? They said we've got to have "mandatory universal labelling of building energy performance at point of sale...."

They said that the "EnerGuide for Houses" standard "be adopted as the standard for labelling residential buildings...."

"That where EnerGuide for Houses methods and procedures are not applicable for certain types of buildings, the province join forces with the federal government to develop appropriate ratings procedures and national standards...."

"That Bill 21 be amended to enable the province and local governments to establish minimum energy efficiency standards for existing buildings...."

"That Bill 21 recognize the need for support for building owners to fulfill requirements specified in subsequent regulations, including:

—access to energy advisors/rating organizations...

—access to energy-efficiency related incentives....

"That Bill 21 acknowledge the growth of energy performance retrofit industry and the need to support it as well as to monitor the quality of these services:

—establish standards for work quality where none exist

—assist in training and ... development where needed

—monitor quality of services and check performance standards."

All of these things they recommended, and you know what? They have been recommending these things for two years too. Did the government adopt them in 2004? No. Did they adopt them in 2005? No. Are they going to adopt them through this bill? No again. No, not at all.

They were very helpful once again in comparing Ontario to other jurisdictions. I'm sure some members of the government were embarrassed when they provided this information. For example, what they point out is that Saskatchewan, Nova Scotia, Newfoundland and Labrador—poor provinces like Newfoundland and Labrador—matched the federal EnerGuide for Houses retrofit grant. Hydro-Québec provides an incentive that is double the federal grant. Manitoba can get back 100% of the cost of home insulation materials. Seniors in Nova Scotia and moderate-income households in Saskatchewan qualify for additional grants when they improve the energy efficiency of their homes. Low-income homeowners receive additional free services—heating system tune-ups, weather-proofing, programmable thermostats etc.—in most of these provinces.

Has any of this happened in Ontario? Did it happen in 2003 under the McGuinty government? No. In 2004 under the McGuinty government? No. In 2005 under the McGuinty government? No. Are there any provisions to

do this in this bill, this slender, anemic bill they've presented? No again.

Just to given you two practical examples, the provinces on either side of us, Quebec and Manitoba: If you live in Manitoba or Quebec and you own a home, in Manitoba you can get a \$5,000 low-interest loan to put in a high-efficiency heating system, to put in better insulation and to put in energy-efficient appliances, and in Quebec it's similar. I point out again that neither Quebec nor Manitoba are facing an electricity crisis. They're both willing to sell Ontario electricity because they have a surplus.

I think people need to ask, how is it that the province to the west of us, Manitoba, which is not facing an electricity crisis, is doing so much on the energy efficiency front that if you're a homeowner, they'll actually provide you with a low-interest loan so you can do real, effective, specific energy-efficient things in your home, and in Quebec, you can do real, specific, practical, energy-efficient things in your home and they'll provide you with an incentive, but in Ontario, nothing is happening? Oh, no, I shouldn't say nothing is happening. You get these superficial ads on television. That's what you get from the McGuinty government: these superficial ads on television. There are many more reports that I could refer to.

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For people at home, let me just tell them that the Pembina Institute and the Canadian Environmental Law Association just a while ago put out an update of their Power for the Future: Towards a Sustainable Electricity System for Ontario. They put out all their recommendations in the spring of 2004, and now here we are, almost in the spring of 2006, so they put out an update. They grade what the government has done, and I think this would be enlightening for people to hear about.

Once again, their recommendation—and again, this is in the context of this bill. This is in the context of this government repeating over over and again, “We’re going to create a culture of conservation.” So they’re reporting on what’s actually happening or, as it truly is, what’s not happening now. They repeat their recommendation, “The government of Ontario should adopt minimum energy efficiency standards under the Energy Efficiency Act equivalent to the energy efficiency levels required for Energy Star labelling for all major electricity-using devices and equipment,” and then it says what’s happening. Do you know what their comment is? Their comment is, “Unclear if Ministry of Energy currently has adequate resources to undertake a major updating project.” So not only are they not working on it; they’re saying it’s not even clear if they have the resources in the ministry to undertake any of this, to make a simple beginning.

Let’s look at some of the other recommendations. “The provincial building code should be amended to require R2000, Canadian Building Improvement Program, or equivalent energy efficiency performance for all new buildings.” “This, again, is a very cost-effective

method of incorporating high levels of energy efficiency into new buildings.” What do they say about that, in terms of their comment? This is what they say about the McGuinty government: “No action to date.” No action to date.

Recommendation 4: “The most energy-efficient technologies in all sectors and end-uses should be labelled through the Energy Star program.” What do they say about the McGuinty government on that issue? “No action to date on appliances.” Wow, it sounds like this government, while they talk about a culture of conservation, is not doing much.

“The government of Ontario should establish a partnership with utilities, financial institutions, energy service companies, municipalities, and other stakeholders to offer a series of financing mechanisms to assist electricity consumers in all sectors to finance the adoption of energy efficient products and technologies and measures,” to save electricity. The government is boasting about their bill. What does the Pembina Institute, the Canadian Environmental Law Association, find on this measure about the McGuinty government? “No action to date.”

Then there’s the issue, “The government of Ontario should enter into an agreement with the federal government under the auspices of the federal government’s Kyoto Protocol implementation plan to share the costs of providing the following financial incentives for the adoption of energy efficient technologies:

“Grants for high-efficiency home energy retrofits and new R2000 homes;

“Grants towards the additional cost of new high-efficiency commercial buildings, and commercial building retrofits

“Sales tax rebates for all Energy Star,” appliances.

What do they say about this? “No reported progress to date on a Kyoto Protocol implementation agreement.”

What do they say about a provincial sales tax rebate on Energy-Star-rated appliances? What they say is that not only has the McGuinty government not done anything positive on this file, they did something negative: They actually removed the very modest provincial sales tax rebates that were there and put in place by the Conservatives. The McGuinty government is actually moving in the wrong direction.

I could go on. Has a public benefit charge been put in place that would be applied to all electricity sales to finance energy efficiency and low-income assistance programs? Response: “No action to date.”

“(13) The government ... should undertake a design and costing study for .a. 200,000-unit solar PV roof program modelled on those undertaken in Europe and the United States....” Response: “No action to date.”

“(16) The government ... should initiate a research and development program on renewable energy technologies funded through the public benefits charge proposed in Recommendation 11.” “No action to date.”

“(17) The Independent Market Operator ... now the Independent Electricity Systems Operator ... should adopt

management practices designed to forecast power outputs from wind-power capacity, run-of-river hydro and solar PV systems...." Response: "No action to date."

"(19) The government of Ontario should develop guidelines, in conjunction with the federal government, for the approval of offshore wind power generation facilities." There is actually a lot of potential for wind power generation on the Great Lakes. What's the response from a government that boasts about how it's going to create a culture of conservation? "No action to date."

It just goes on and on.

Now, one of the things that is in this bill that the government boasts about and boasts about and talks about and talks about is their so-called smart metering. In fact, if you ask them about energy efficiency, right away, they say, "Oh, we're going to do the smart meters." What I found during the hearings was very revealing, because you know what? The people who are going to make money off smart meters, the people who are going to sell them, are all in favour of smart meters.

So the companies that might make them and manufacture them and sell them and service them are all in favour of smart meters. As I said earlier, I asked every one of them, "What do you think this is going to cost?" They said, "It's going to cost at least \$1 billion." Some of them said it might cost more than that; it might cost \$2 billion. I said to them, "If your company was going to spend \$1 billion or \$2 billion, would you do a cost-benefit analysis before you put out that money?" You

know what they said? Every one of them said, "Yes, we would do a cost-benefit analysis; we would do a business plan. We couldn't get it past our board; we couldn't get financing unless we could show that we had done a cost-benefit analysis and unless we could show that for \$1 billion or \$2 billion expended, there were going to be some real returns."

I asked every one of those presenters, every one of those companies. I said, "Have you seen a cost-benefit analysis on smart meters? Never mind the propaganda, never mind all the press releases from the McGuinty government. Have you seen a cost benefit analysis? Have you seen a business case?" You know what? Not one of those companies could provide a business case; not one of those companies could provide a cost-benefit analysis. In fact, the most frequent response that I got was—and the response that I got, for example, from the Canadian Environmental Law Association was, they said the Ontario Power Authority, in their drive to go nuclear and go big, said, "You might shave 500 megawatts off peak consumption." Peak consumption of 26,000 megawatts: "You might shave 500 megawatts."

I want to continue this little histoire tomorrow because I think it's a very interesting histoire. You're going to blow \$2 billion and you might save 500 megawatts? This sounds like more, "Go nuclear, go big."

The Acting Speaker: The time now being 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

The House adjourned at 2130.

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Tuesday 21 February 2006

Mardi 21 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 février 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ONTARIO MEDAL FOR GOOD CITIZENSHIP

Mr. Cameron Jackson (Burlington): On February 7, the Ontario Medal for Good Citizenship was awarded here at Queen's Park to 38 outstanding individuals for their kindness and generosity. A record five recipients came from my community of Burlington.

Linda Cupido, an advocate for volunteer service, is a former vice-chair of the Ontario Trillium Foundation.

Elizabeth Ann Grandbois has spent many years raising money and awareness for ALS research.

Beverly Jacobs helped organize the Life Quilt, depicting the stories of breast cancer patients.

Bernard "Bernie" Marchildon founded the St. Patrick's Breakfast Club 14 years ago to ensure that children start their day with a nutritious meal.

Keith Strong, a tireless organizer and fundraiser, supported many projects, including the Burlington Community Foundation and Halton Women's Place.

Congratulations to all these worthy recipients on their special day, which was attended by four members of the PC caucus and one member from the government.

It is customary for the Minister of Citizenship to inform all members of this House of the names of each honoree so that their MPP can join them. It is unfortunate that the minister overlooked the time-honored traditions of sensitivity to our honourees and courtesy to all our members. When asked about this lack of notice, the minister chose to place the blame on the Office of the Lieutenant Governor instead of accepting responsibility as the head of his ministry.

In future, I'm sure that all members of the House would appreciate that our traditions and the individuals we honour are respected.

INTERNATIONAL MOTHER LANGUAGE DAY

Mr. Khalil Ramal (London-Fanshawe): Observing February 21 as International Mother Language Day was adopted at the 30th general conference of UNESCO, held on November 17, 1999, in Paris, France. The day was

declared on subsequent proposals from the Mother Language Lovers of the World organization in Vancouver, Canada, and the government of the People's Republic of Bangladesh. Thereafter, February 21 was proclaimed as International Mother Language Day by UNESCO in 2000 to promote linguistic and cultural diversity and multiculturalism.

Language is a powerful tool. Without it we wouldn't be able to share our ideas, fears or hopes and we wouldn't be able to communicate. Language preserves our heritage and helps us define who we are. By learning about the significance of language and valuing the importance of all languages in the world, we can encourage a sense of unity based on understanding, tolerance and dialogue. We reaffirm our commitment here in the province of Ontario of celebrating language diversity, providing a society of understanding leading to peace, dignity, respect, safety and harmony.

All of us here in the Legislature join the people of the world from Bangladesh to Canada in celebrating International Mother Language Day. Merci, monsieur le Président; muchas gracias; grazie; door tse; dhanyabaad; tse tse; thank you, Mr. Speaker.

ROY GOOD

Mr. Jerry J. Ouellette (Oshawa): I rise today to pay respect to the passing of Staff Sergeant Roy Good, a respected member of the Durham Regional Police force who passed away on February 11 after a battle with cancer. I'd like to take this opportunity to express my sincere condolences and sympathy to his wife Pam, his sons Ron and Steve and daughter Kathy.

Staff Sergeant Good was one of the most familiar faces on the Durham Regional Police. In fact, he was one of the original officers hired by the force when it came into being in January, 1974. He served for almost 30 years. During those years, Roy served as community liaison officer, sitting on various boards and fundraising projects. He also helped to preserve the history of policing in the region of Durham by collecting and restoring old documents and photographs, publishing a history of the Durham Regional Police force and establishing a small museum at police headquarters to showcase it.

Roy was always giving back to the community he believed so much in. Whether it was the Parkwood Estate restoration, Cops for Cancer initiative, local Arthritis Society or Alzheimer's, Staff Sergeant Good was always involved. Even though Roy would spend hours and hours

of volunteer time for the Durham Cancer Centre or on his time with the Knights of Columbus or some of the other community activities already mentioned and so many more that weren't mentioned, Roy Good was always a father and a husband who, no matter how busy, always found the time and showed up at 5:30 for family time with the family evening meal.

As an officer, a dear friend and a devoted family man, Roy Good will be sorely missed but never forgotten.

FAMILY SERVICES HAMILTON

Ms. Andrea Horwath (Hamilton East): Family Services in Hamilton has fallen into bankruptcy, causing tremendous concern among the many in my city who rely on services formerly provided by Family Services of Hamilton over its 80-year history of community service. A year ago, I stood here urging the McGuinty government to take action and ensure the protection and delivery of these services. They are services that Hamiltonians can't do without: women, seniors, immigrants, low-income families, young people with special needs. Family Services of Hamilton provided transitional housing for women and children fleeing domestic violence. They provided the support and units even after the Mike Harris government cut their funding. They provided them even as the McGuinty Liberals refused to help.

Fortunately, the city of Hamilton will be able to save these units, but now the Liberals are content to watch Family Services disintegrate. The city, in return, needs the provincial government to fund a transitional housing worker to work with these women and children as they try to rebuild their lives. I heard the minister's fancy words, but that's all they were. She was going to fix things. She said, back in April of last year, "We understand that there's more work to do with this particular agency. We want them to be a vibrant, successful agency to be able to respond to the needs of those women who come to their doors."

Now, not only is the agency bankrupt, partially because the McGuinty Liberals refused to fund their transitional housing program, but the dedicated employees of Family Services of Hamilton have been jolted out of their jobs. The workers are out in the cold; no wages, no severance, no warning. Fancy words from the minister didn't fix a thing. The McGuinty government should provide concrete assistance plans for Family Services workers and their clients. Hamilton is currently tied with Toronto in poverty, and as the MPP for the hardest-hit area, I call on this government and this minister to take responsibility—

The Speaker (Hon. Michael A. Brown): Thank you.
1340

CANADIAN WOMEN'S OLYMPIC HOCKEY TEAM

Mr. Bruce Crozier (Essex): They say that a picture is worth a thousand words. This picture of our Canadian

women's national hockey team as Olympic champions is certainly worth that, and I'd like to add a few more.

Did you know that, of the 22-member roster of this great Olympic hockey team, 10 are from Ontario? Gillian Ferrari from Thornhill, Becky Kellar from Hagersville, Cheryl Pounder from Mississauga, Gillian Apps from Unionville, Cassie Campbell from Brampton, Jayna Hefford from Kingston, Cherie Piper from Scarborough, Vicky Sunohara from Scarborough, Katie Weatherston from Thunder Bay and, I want to add very proudly, Meghan Agosta from Ruthven, Ontario, in my riding. Ruthven is a little hamlet that's part of the town of Kingsville, and we're so very, very proud of Meghan.

Meghan scored a hat trick on her 19th birthday. She's the youngest member of the team. She's a member of the kids' line in this great, outstanding hockey team. Meghan has said it as well as any of us can. She said after the game: "Tears come to my eyes every time I think about it. I'm just so honoured to be Canadian." Meghan, we're so honoured to have you as a member of our riding. Thank you for your effort.

MINISTERIAL CONDUCT

Mr. Robert W. Runciman (Leeds–Grenville): Over the past week, the Progressive Conservative Party has insisted on continuing the debate on the Integrity Commissioner's report dealing with the activities of the Minister of Transportation, Mr. Takhar. This is a debate that, for the most part, is going unnoticed by the public, but it is an unprecedented historic debate and, attention or not, the Progressive Conservative Party will make our best efforts to see it continue. We believe this is critically important in terms of understanding just who Dalton McGuinty is and what he will do or say to get into government and stay in government.

In opposition, Mr. McGuinty was vicious and unrelenting in his personal attacks against good people, members of the Progressive Conservative cabinet, for much less offensive activities than those engaged in by Minister Takhar. In opposition, Mr. McGuinty told the people of Ontario what his standards for ministerial integrity were, and now, in government, he's turning his back on his own words and breaching the trust of Ontarians.

This debate is critically important with respect to the character, judgment and standards of Dalton McGuinty, the man currently leading this province. The Progressive Conservative Party, under the honest leadership of John Tory, will not give in. This is a fight worth fighting.

UNIVERSITY OF GUELPH

Mrs. Liz Sandals (Guelph–Wellington): Recently, I was pleased to join with Dr. Alastair Summerlee, president of the University of Guelph, to announce that the university is receiving \$5 million from our government's quality improvement fund. Thanks to the McGuinty government's unprecedented \$6.2-billion investment in

post-secondary education, we have created the new \$211-million quality improvement fund for colleges and universities.

The University of Guelph, one of Canada's finest universities, is using its \$5 million to provide students with a higher quality of education by hiring 35 additional full-time, tenured faculty; improving access to educational resources by investing in library acquisitions and extending library hours; and responding to increased demand for student services by investing in student counselling, student tutoring, the Centre for Students with Disabilities and student health services. President Summerlee said, "We are very grateful to have this funding confirmed and for the government's ongoing commitment to addressing quality improvement at Ontario's universities."

Students are our most valuable asset. The McGuinty government is rebuilding post-secondary education so that students in Guelph-Wellington and around the province get the very best education possible.

OMERS PENSION FUND

Mr. Tony Ruprecht (Davenport): There is something that is getting lost in all the attention being paid to the illegal strike that CUPE Ontario is threatening. We seem to have forgotten that one of the key portions of this bill is the part that will give police officers and firefighters the ability to negotiate supplemental plans with the municipality that employs them. This will potentially allow them to retire earlier and with more security.

Yesterday morning in Niagara Falls over 100 leaders of the Police Association of Ontario met and expressed their support for Bill 206. Since they put the need for this bill so well, permit me to quote them. The Police Association of Ontario's president, Bob Baltin, said, "We believe that Bill 206 will enhance policing and community safety and would urge its swift passage." The CAO of the police association, Bruce Miller, said, "The consultations and hearings since the bill was introduced were extensive. A clear and fair process was laid out and followed. We believe that it is time to move this bill forward." We think they are right.

Mr. Ernie Parsons (Prince Edward-Hastings): I rise today to recognize the work that police officers do in keeping our communities safe. Every time police officers put on their uniforms and go out on the job, they are putting themselves in harm's way. We think it's important, worthy and right that we recognize that these men and women assume special responsibilities, that they assume great risk and danger every day as part of their job.

As such, we think it's only fair that we give them the opportunity to negotiate supplemental retirement benefits with the municipalities that employ them, and we're doing it in a way that's fair to everyone. Any supplemental benefits that police officers do get will be paid on a 50-50 basis by them and their employers, and no one else. No existing pensions will be affected, and any other

group that wants to negotiate a supplemental plan can do so.

I think it's only fair that we as a society should recognize the sacrifices that police officers make. Bill 206 does exactly that. I urge all members of this House to show their support for police officers and other public safety workers by helping to pass Bill 206.

VISITORS

The Speaker (Hon. Michael A. Brown): I would like to welcome to the Legislature this afternoon in my gallery the mayor of Dubreuilville, Réjean Raymond; the mayor of Manitouwadge, Darrell Chisholm; and a councillor in the fine town of Manitouwadge, Randy Barnes.

MOTIONS

HOUSE SITTINGS

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, February 21, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1349 to 1354.

The Speaker: All those in favour will stand one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Kennedy, Gerard	Qaadri, Shafiq
Arthurs, Wayne	Klees, Frank	Racco, Mario G.
Balkissoon, Bas	Kwinter, Monte	Ramal, Khalil
Barrett, Toby	Levac, Dave	Runciman, Robert W.
Bartolucci, Rick	Martiniuk, Gerry	Ruprecht, Tony
Bentley, Christopher	Matthews, Deborah	Sandals, Liz
Berardinetti, Lorenzo	Mauro, Bill	Scott, Laurie
Bountrogianni, Marie	McGuinty, Dalton	Sergio, Mario
Bryant, Michael	McMeekin, Ted	Smith, Monique
Cansfield, Donna H.	Meilleur, Madeleine	Smitherman, George
Chudleigh, Ted	Miller, Norm	Sorbara, Gregory S.
Colle, Mike	Mossop, Jennifer F.	Tascona, Joseph N.
Crozier, Bruce	Munro, Julia	Watson, Jim
Delaney, Bob	O'Toole, John	Wilkinson, John
Dombrowsky, Leona	Oraziotti, David	Witmer, Elizabeth
Duguid, Brad	Ouellette, Jerry J.	Wong, Tony C.
Flynn, Kevin Daniel	Parsons, Ernie	Wynne, Kathleen O.
Gerretsen, John	Peters, Steve	Yakabuski, John
Jackson, Cameron	Phillips, Gerry	Zimmer, David
Jeffrey, Linda	Pupatello, Sandra	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Horwath, Andrea
Kormos, Peter

Marchese, Rosario
Martel, Shelley
Murdoch, Bill

Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 59; the nays are 7.

The Speaker: I declare the motion carried.

ORAL QUESTIONS**OMERS PENSION FUND**

Mr. Robert W. Runciman (Leeds-Grenville): My question is for the Premier and deals with the government's decision to call Bill 206 this afternoon. Premier, you have not, in our view and in the view of many Ontarians, taken the time to fix what many believe is flawed legislation. In opposition, you talked about a new way of doing business in this place. The leader of the Progressive Conservative Party, John Tory, has suggested to you on a number of occasions that you go that extra mile, sit down with Mr. Tory, Mr. Hampton and others who are impacted by this legislation to try to find a middle ground, try to find a resolution. Instead, you're going down a road that could cause significant disruption to the province and hurt families throughout Ontario.

Premier, why are you taking the province down what we would describe—and I think many would share this view—as an irresponsible road?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The member of the official opposition tells us that he is in disagreement with this legislation. His only suggestion is that we should find a way to come together. But what they have failed to do is put forward any positive, constructive proposal related specifically to the legislation itself. In fact, the Conservative Party introduced a total of four amendments to the legislation. They then withdrew two.

We are happy to say that we have spent a great deal of time and put a great deal of effort into ensuring that we get this bill right. It has now been the subject of an eight-month process; it has been about eight months since it was introduced in this Legislature. It's been through two rounds of committee hearings. We've had 11 days of committee hearings, in fact, and we've heard from countless presenters—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Runciman: Unlike the government, we didn't want to suggest that we know what's best for the people who hold these pensions, whose future depends on these pensions, which you are making decisions about on their behalf. What you're doing, really, is provoking a strike by poking a stick into an open wound here. The Premier made promises about OMERS to get elected. You're keeping one, which we don't disagree with, and showing contempt for the other. I ask the Premier to tell the peo-

ple who believed your promises why you're not keeping them. You are essentially telling them to rub salt. That isn't leadership; it's the arrogance of power. Why haven't you gone the extra mile to find a solution? Why haven't you done that?

1400

Hon. Mr. McGuinty: The member of the official opposition may not want to recognize this, but the fact is that we respect the process. We introduced a bill in this House. After first reading, it went out to committee hearings, which is a rather extraordinary event. After second reading, it again went out for committee hearings. We heard from 54 presenters. We received 141 separate submissions. We adopted three separate NDP amendments.

We now look forward to calling the bill once more and getting on with it. We have worked as hard as we could to reconcile what in many cases are irreconcilable differences between the municipalities and the employees. The municipalities say they want 100% agreement before they can make changes to the pension plan. Some employee groups said no, that we should only require 50% agreement in that regard. We feel that we have come down—

The Speaker: Thank you. Final supplementary.

Mr. Runciman: This legislation is irresponsible, for a number of reasons. The government doesn't have any idea what this will cost municipalities and, ultimately, taxpayers. You don't know what you're going to do if there is a province-wide strike. If you've got a plan, I would suggest that it should be shared with the assembly, that it should be shared with the people of Ontario. I ask the Premier to show us this isn't just another ill-thought-out initiative driven by short-term political gain, to show us he has a plan to go forward—he certainly hasn't been responding to many concerns across this province—to show how he can deal with this going forward. Tell us today.

Hon. Mr. McGuinty: I'm going to say something that I am confident Ontarians would fully agree with, and I think it will be interesting to learn whether or not the Conservative Party agrees with this. Ontarians have every right to protest their government, but they shouldn't break the law in doing so. I think the people of Ontario deserve to know where the Conservative Party stands on this issue. The time is here. I believe that CUPE in particular has every right, and I fully respect and support that right, to protest any action on the part of our government, but at the same time, I think it is wrong to engage in an illegal activity to register that protest. I think it's wrong, because you're angry with the government, to take it out on Ontario families. I think it's wrong, because you're angry with the government, to keep kids out of school. I think it's wrong, because you're angry with the government, to stop plowing our roads. I think it's wrong, because you're angry with the government, to stop picking up our garbage. I think it's wrong, because you're angry with the government, to stop providing those important services we all count on.

Interjections.

The Speaker: Order, the Minister of Community and Social Services and the member for Leeds–Grenville. Order.

New question.

Mr. Frank Klees (Oak Ridges): My question is to the Premier as well. We agree that it's wrong to have an illegal strike, but I can tell you that we also believe it's fundamentally wrong that the one person who can avoid that illegal strike—namely, the Premier—has failed to do so. He either—

Interjections.

The Speaker: The member for Oak Ridges is attempting to ask a question. He deserves your attention as he does that. Only one member has the floor at a time.

The member for Oak Ridges.

Mr. Klees: There is only one person in this province who could have avoided the illegal strike, and that is the Premier. He either was incapable of doing that or, somehow, a province-wide strike served his political purposes.

Knowing that for weeks now we have been warning, and he has been warned, that there will be an illegal strike, I would like to ask at least this on behalf of parents and students across the province: Knowing that the strike is coming, what directive has he given to school boards to prepare for this inevitable event?

Hon. Mr. McGuinty: Let me just tell you a little bit about this government's record when it comes to averting strikes and working with a genuine sense of goodwill with our labour partners in Ontario. We have achieved a four-year collective agreement with our teachers. That has never happened before. We have achieved a four-year agreement with our own employees, OPSEU workers, who are second to none in Canada when it comes to public services. We have achieved a four-and-a-half-year deal with Ontario doctors. Again, that has never been seen before in the history of this province.

I'm also very proud to say that our investments have led to about 5,000 new CUPE members being hired in Ontario schools and about 200 new CUPE members being hired in our child care centres and our children's aid societies. So if the member opposite is suggesting that somehow we are trying to foment some kind of dissent when it comes to positive labour relations, he should really take a very good look at our record. It's a record we're proud of.

Mr. Klees: It's not the record I'm talking about; it's what is about to happen in this province, which is a province-wide strike that has been threatened for weeks. We've been calling on the Premier to show leadership to avoid that, to bring the parties to the table and find a resolution. The Premier has failed in doing that.

I ask the question again: Knowing that the province-wide strike is coming, knowing the hardship it's going to mean for parents and students, what direction has the Premier given to school boards and parents to prepare for this inevitable event?

Hon. Mr. McGuinty: I'm not as fatalistic as the member opposite. I believe that people of goodwill, when

apprised of the facts, will understand that it would be, at best, inappropriate, but at most, outright wrong, to withdraw services given these circumstances. It is surprising to hear from the member opposite, as a representative of that party, that somehow he believes that if the government pursues a lawful process, introduces a bill and follows the committee procedures and the debates as required by law, and if somebody—anybody—stands up in the province of Ontario and says, "I'm going to protest that illegally if you pursue that," this member opposite says then that that party, were they serving in government, would buckle.

We disagree with that. There is a matter of the greater public interest that is at stake here. The people of Ontario are entitled to know that their government will not buckle in the face of a threat of an illegal protest. We will do what we think is right. We will do what we think is best. We will uphold the public interest.

Mr. Klees: Either the Premier is not hearing me or the briefing notes he is getting are incongruous with my question. As the education critic, I'm asking a very specific question about what preparation he or his Minister of Education has given to school boards and parents across the province to prepare for what he knows is going to happen within the next few hours. Services will be withdrawn from schools. Special-needs students across the province won't have teaching assistants. What, if any, directive has been given to school boards or parents to prepare?

Hon. Mr. McGuinty: The member opposite knows very well where I stand on this issue, as do Ontarians. I've said it before: CUPE has every right, and I fully support that right, to protest the actions of their government here in Ontario. But I don't support the right of any particular group to protest in an illegal fashion. That's where we stand.

What the members opposite need to know is that Ontarians also want to hear from them: Where do they stand on this particular issue? Do they support an illegal strike or not? Do they support our police, who are here today, or not? Do they support our firefighters or not?

1410

Mr. Klees: No.

Hon. Mr. McGuinty: He's saying no. Then he should listen what John O'Toole said just recently. The Ontario Professional Fire Fighters Association supports an autonomous governance structure. I've heard from John O'Toole, I've heard from Joe Tascona, I've heard from Ernie Hardeman, beyond that I've heard from Ted Arnott and Elizabeth Witmer, all in support of what we're doing for firefighters and police. Maybe they should get their act together over there.

Interjections.

The Speaker: Stop the clock. Order. Member for Oak Ridges.

New question, the leader of the third party.

Mr. Howard Hampton (Kenora–Rainy River): Premier, you have created the OMERS pension fiasco. Instead of working with stakeholders to bring in pension

legislation which is acceptable for everyone, you have brought in a flawed bill which has divided people. Instead of trying to bring people together, you have taken a confrontational approach which has in fact increased the conflict.

We believe that the best thing you could do as Premier for worried working families across this province is to stop the confrontation, bring the stakeholders together and start serious discussion to find common ground. Will you do that?

Hon. Mr. McGuinty: If it's helpful to the leader of the NDP, I will repeat the process that we've gone through with this particular bill. It was introduced almost eight months ago. It flows from a specific commitment we made as part of our campaign platform. The bill has gone through two rounds of committee hearings. Those in fact consisted of 11 days of committee hearings. There were 141 submissions and 54 separate presentations. The NDP introduced a number of amendments, three of which we have adopted because we generally feel that they improve the quality of the bill.

The leader of the NDP may feel that we somehow have not respected the process, that we somehow have not attempted to reach out to all the parties involved in this, but I would of course argue otherwise.

Mr. Hampton: In fact, Premier, your bill was so flawed, it had to be amended dozens of times. In fact, New Democrats brought forward over 100 amendments, of which you accepted only three. But the reality persists: You do not have legislation here that is going to speak to all the stakeholders. It's going to be very unfair to women workers and lower-paid workers generally.

What people are asking you to do is to show some leadership instead of ratcheting up the tension, instead of throwing down a gauntlet and instead of talking about work stoppage. What people are asking you to do is show leadership, bring the stakeholders together and look for that common ground. Are you prepared to show that leadership, Premier, or do you really want a work stoppage?

Hon. Mr. McGuinty: I can tell you that there's one thing that the parties—by “parties” I mean AMO and employee groups—agree upon: that they should have control over their own pension plan. There's complete agreement on that score. The challenge, of course, comes beyond that, in reconciling the irreconcilable differences in terms of the positions that were put forward by AMO and the employee groups. AMO in particular said that they need 100% agreement before any changes might be made to the plan. CUPE in particular said, “No, all we want is 50% agreement before we can make changes to the plan.” What we said was, and we tried to come somewhere in between, “Look, it's going to have to be 50% plus one to move on to mediation and binding arbitration.”

Neither side is particularly happy with that. Mr. Hampton is suggesting I do something that would be completely rejected by AMO. We have tried to be as fair as we possibly can in this matter. The parties still want us

to transfer control of the plan to them, and we are doing that.

Mr. Hampton: This is not about transferring the plan to the parties; this is about the fact that some of the lowest-paid workers, many of them women workers in this province, will not have the same opportunities in terms of pension as other workers who are much better paid. This is a fundamental issue of fairness, and what people expect of you in this situation is to show leadership, to bring stakeholders together and look for that common ground. In fact, what you've done, after creating a flawed bill, is to look for every opportunity to promote confrontation and conflict.

I'm going to ask you again, Premier: Are you prepared to lower the language tone, to lower the volume? Are you prepared to bring the stakeholders together and look for a common solution, or do you really want a work stoppage in this province?

Hon. Mr. McGuinty: The leader of the NDP continues to perpetuate a myth that somehow plan members beyond police and firefighters are going to be disadvantaged as a result of the proposal that is before this House, and nothing could be further from the truth. More specifically, we adopted an amendment put forward by the NDP that provides protection to ensure that nothing that is associated with what is happening for police and firefighters—I'm delighted to welcome police to the Legislature today and I'm delighted to be representing a government that recognizes the special challenges they have as part of their line of work. Again, notwithstanding Mr. Hampton's assertions to the contrary, nothing in this bill is acting in any kind of way to disadvantage plan members.

HEALTH CARE

Mr. Howard Hampton (Kenora–Rainy River): My question is to the Premier. In Bill 36, your local health integration network legislation, which I understand you want to introduce for third reading tonight, there are some big problems. In the election, you told voters to choose “between the failed policies of privatization or leadership that will protect and improve medicare.” In committee, we introduced an amendment to your LHINs bill that would ban cutthroat bidding; in other words, private delivery of health care services through cutthroat bidding. We want to keep the delivery of health care services public and stop privatization, but your members on the committee voted down the amendment. Premier, why did members of your government vote down a safeguard to protect and improve medicare and guard against privatization of health care services?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'll refer this to the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I'm delighted to have an opportunity to talk about Bill 36 and to answer very directly to the honourable member.

The clause his party brought forward in committee would have the effect of making sure that the Ontario health care system was obligated in every instance to pay the highest possible cost. As a government, we came to find that when we asked hospitals what they could provide a cataract surgery for, the range in price offered from the same Ontario health care system was from \$450 an eye to more than \$2,000 an eye. By moving forward on the basis that that party recommended in committee, the Ontario health care system would have been obligated at all times to accept the service on the price that it was offered, regardless of where that price was. We're talking about services provided in the public health care system by public institutions, but they don't all provide that at the same cost.

Mr. Hampton: Well, you can tell your version. Our amendment would have simply stipulated that there would be no further movement to the private delivery of health care services in Ontario, and your members voted it down. What you're really opening the door to is the kind of cutthroat bidding that we see in home care, where the wages, benefits and pensions of nurses are cut. For patients, it often means lower-quality services: private delivery, lower wages, lower benefits and less service for patients. We think you should fix your bill before you proceed to third reading. Are you prepared to stop the cutthroat bidding, the further privatization of health care services in Ontario?

1420

Hon. Mr. Smitherman: I find it interesting every day to hear the honourable member advance on behalf of the public health care system and the public sector providers, especially in the home care sector, that they're losers, that invariably the system is stacked against them and that the circumstances are such that only the private providers will win out.

But in offering up that rhetorical explanation, the honourable member does not apprise himself of the facts. The reality is that under the model the member talks about, public sector providers—Saint Elizabeth Health Care, a not-for-profit provider, and a variety of the VON agencies across the breadth of this province—have demonstrated tremendous capacity, resilience and dedication to patient service to the extent that they have won back in area after area after area the provision of these really, really crucial and important services to Ontarians. We believe in the public health care system, and we believe in those not-for-profit and public providers and in their capacity to deliver excellence to the patients of this province, and that is what this—

The Speaker (Hon. Michael A. Brown): Thank you. Final supplementary.

Mr. Hampton: Your bill is about duplicating in hospitals what cutthroat bidding has done in home care. The not-for-profit providers have come forward time and again and said the only way that they could continue to offer services is by cutting wages, by cutting benefits, by cutting pensions, by in fact delivering a lower quality of service. That's what you're driving toward.

So I'm going to ask you again: Instead of putting in place a system that will move more and more to private delivery, more and more to private corporations, cutting wages, cutting benefits, cutting the quality of work, don't you think it's time that your government should actually honour its promise and speak up for medicare, speak up for a public system and speak up for better health services for patients instead of racing to the bottom?

Hon. Mr. Smitherman: The honourable member wants to stand on his high perch and talk about these things and neglect the fact that when he was part of a government, they oversaw the privatization of services in Ontario hospitals. All across the landscape, in hospitals up and down University Avenue, services that were provided by the public sector were privatized while that member stood silent. And now he makes his big speeches.

We're the government that repatriated MRIs to the not-for-profit sector. We're the government that's moving forward with community health centres, with palliative care strategies to support home hospice, with more resources for midwives, with primary care reform in the form of family health teams coming to life all across the breadth of this province, with a wait-time strategy that has awakened the capacity of the public health care system; and that is committed to excellence and is going to demonstrate to the taxpayers of this province continuous quality improvement. That is the vision for health care.

OMERS PENSION FUND

Mrs. Elizabeth Witmer (Kitchener-Waterloo): My question is to the Premier. No one denies the challenges that our firefighters and police officers face in this province. However, today our concern is focused on your refusal to respond to the request of our leader, John Tory, for further dialogue in order to avert an illegal strike. We now know that a province-wide strike is going to be coming. We also know that it is going to have a very detrimental impact on patients in our hospitals. So my question to you today is, what contingency plan have you put in place to ensure patient safety in our hospitals?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me just say I find it rather interesting that this question should come from the member opposite, whom I've respected over the years. She well knows that the issue of OMERS devolution and the issue of supplementary plans for our emergency workers have been talked about within government for at least the last 10 years, and she was in government for eight of those years. The OMERS board itself made a report in 2002 recommending the devolution of the plan. The time has simply come, and, as we've heard, there are irreconcilable differences between the municipal world and some of the employee groups. The time has come to

finally put this issue to bed and to recognize the extraordinary services and the risk services that the emergency workers of fire, police and paramedics play in this province. That's what we're doing in this bill and that's exactly what the people of Ontario want us to do.

Mrs. Witmer: What a tremendous disappointment to the people in Ontario that the Premier is unable to stand in this House and tell us what contingency plan he has in place to protect the safety of patients in our hospitals. He has known this strike is coming. He has done nothing to avert the strike. He has refused to sit down with our leader and Mr. Hampton and others. Today I ask you again, Premier: What contingency plans do you have in place to ensure that the safety of patients in our hospitals is not jeopardized?

Hon. Mr. Gerretsen: We are absolutely confident that our municipalities, our school boards and our hospitals that carry out the operations in so many different ways, and the functions of this government through health care etc., will put into place any contingency plan that may be necessary. They've dealt with these kinds of issues in the past, they will deal with them again in the future, and I am sure they will take the steps that are necessary to ensure that patients are properly looked after, that our school children are properly looked after and that the municipal services that we rely on are properly looked after in this province as well.

FOREST INDUSTRY

Mr. Gilles Bisson (Timmins-James Bay): My question is to the Premier. Today I got to listen, for probably the 10th time, to the presentation that Jamie Lim, the Ontario Forestry Association president, has been making to anybody who will listen, and that is the situation we find ourselves in with the forest industry. She's very clear. She says that the problem we have in the industry in Ontario has been caused by the policies of this government. She cites these examples: We have the highest electricity prices in Canada and most of North America. We are unable to compete with our cousins in Manitoba or on the Quebec side. Our price of electricity here is two to three times higher, depending on the jurisdiction. She talks about delivered wood cost, where the wood cost delivery here in Ontario is the highest in North America. She, along with others, has been calling on your government in order to respond to these issues in a real way.

What's clear is that what you've announced up to now hasn't worked. We've lost 3,500 jobs plus since your government announced its aid package to the forest industry. My question is simply: When are you going to finally respond to the key policy issues that she and others have been raising?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I was intuitive that the Premier would do that.

It's quite galling to hear this coming from a member from that party which, while they were in the government, downloaded all the cost of the roads onto the forest industry. It's this government that has made one announcement, and is soon to make a second announcement, that is going to reverse all the damage you did to that industry years ago. You should be ashamed, because we're undoing your bad work. Stay tuned, and just to remind you, by the way: The Premier met with Jamie Lim on Sunday night. We had a great meeting about the future of this industry. She, the Premier, this government and the industry are very positive about our future in northern Ontario.

Mr. Bisson: Two things: First off, her name is Jamie Lim; you should pronounce it properly. The second point is that the downloading of roads is not what we have done; it's something that your previous government had done under David Peterson, so you'd better keep the ball back in your court. We were the government that responded to the restructuring of the industry when the industry was in crisis: Kapuskasing, Sault Ste. Marie, Thunder Bay, Atikokan, and the list goes on. What's clear is that northerners are saying what you're doing now does nothing to respond to what's happening in the industry.

I ask you again: When are you going to be prepared to respond to those issues directly, specifically the issue of electricity costs in the province? I tell you, Premier, and the minister, that if you don't deal with electricity costs, we're seeing thousands of other jobs, not only in the forest industries but others, go down the road. Are you going to do it?

1430

Hon. Mr. Ramsay: I have a copy of a letter here from the then Minister of Natural Resources, Bud Wildman, of the NDP government, in response to E.B. Eddy Forest Products. He said, "I appreciate the implications of eliminating forest management agreement road funding." It was done at that time, and also at that time, 14 mills were lost in this province. This is a cyclical thing and it's happening again.

I would say to the member that we're working hard with the industry, and I'd invite you to come down to the legislative dining room at 8:30 tomorrow morning and be part of a very good-news announcement to that industry.

OMERS PENSION FUND

Mr. Bill Mauro (Thunder Bay-Atikokan): My question is for the Minister of Municipal Affairs and Housing. On June 1 of last year, our government introduced Bill 206 to bring the OMERS pension plan to the people who pay into and benefit from the plan. Today we are joined in the galleries by many OMERS members, some of whom represent the men and women who serve on Ontario's finest police forces.

Many police and fire groups have expressed their frustration to me with the amount of misinformation being spread by some individuals surrounding Bill 206.

They are equally frustrated with comments about how unfair and arbitrary this process has been to date.

Minister, please clarify for the police officers present in the Legislature today and for those who are working to maintain the safety of our communities right now precisely how our government maintained a sense of fairness to stakeholders throughout the legislative process for Bill 206.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'd like to thank the member for the excellent question that he has just asked.

First of all, let me just say I'm sure I speak on behalf of everyone here that we appreciate greatly in this province—everyone does—the tremendous work that is done by the fire, police and paramedics in this province.

There have been discussions about supplemental plans for community safety employees since 1995. As I indicated earlier, the previous government did not act upon those recommendations at all. These supplementary plans that are part of Bill 206 will simply allow, at the local level, negotiations to take place for earlier retirement for our emergency workers. Whatever is negotiated at that level will be paid for on a 50-50 basis between the employees and the employers. We believe that's a fair way to deal with the situation. We believe that our emergency workers in this province deserve that kind of consideration to take place at the local level. That's what Bill 206 provides.

Mr. Mauro: Minister, public safety is an important issue for Ontarians and for our government. Ontarians expect to live in a community that is safe. As the Police Association of Ontario has stated, Ontarians realize the challenges to community safety that police are dealing with across this province. Our government has made progress on community safety by passing legislation making it mandatory for hospitals to report the treatment of gunshot wounds; providing \$30 million in funding to municipal fire departments for training and equipment for the first time in more than 20 years; announcing new funding for an additional 1,000 police officers as part of a six-point plan to make Ontarians safer, with half of the new officers to be used for community policing and the remainder used to target youth crime, dangerous offenders, guns and gangs, organized crime, and domestic violence; and protecting children from Internet luring and child pornography.

I know we have made progress in other areas of community safety as well. Minister, how does Bill 206 further enhance the safety of our communities?

Hon. Mr. Gerretsen: First of all, I think credit should go to our Minister of Community Safety and Correctional Services for the excellent relationship that he's been able to build up over the last two and a half years with our police and firefighters in this province.

What Bill 206 is all about when it comes to supplementary benefits is for the local associations of both police and fire to sit down with their employers at negotiation time and to determine whether or not a particular benefit within the supplementary plan is for the welfare

of their community, for the welfare of the individual members and for the welfare of the citizens of that community as a whole. As I mentioned earlier, whatever is negotiated at that level will be paid for on a 50-50 basis between the employer and the employee, and the main plan will not in any way be affected, financially or otherwise.

The Speaker (Hon. Michael A. Brown): New question. The member for Leeds–Grenville.

Mr. Robert W. Runciman (Leeds–Grenville): I have a question again to the Premier about his decision to proceed with Bill 206.

The Premier said, with some holier-than-thou rhetoric earlier with respect to illegal strikes, and challenging our party and our leader, John Tory, "We are opposed to an illegal strike." But Mr. McGuinty hasn't always taken that position with respect to illegal strikes. Quote in the *Ottawa Citizen* and the *Toronto Star* in October 1997: "I'm on the side of teachers. This may be an illegal strike but"—a big "but" here—"you're doing the right thing, and I ask you not to give up."

You will have to question the Premier's sincerity here. Why should CUPE members heed his plea for restraint, given his broken promise to them to get their votes in the lead-up to the provincial election, and given his past record with respect to illegal strikes? Why should they listen to him now?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Speaker, the Minister of Municipal Affairs and Housing.

Hon. Mr. Gerretsen: Thank you very much. I am sure that I speak on behalf of every member of this House when I say that we are all against illegal activities and illegal strikes.

Surely to goodness we have a process in this province whereby disagreements, whether between employer and employees or other groups, are handled. Illegal activities cannot be justified or condoned under any circumstances.

Mr. Runciman: I guess the Premier got cold feet and doesn't want to deal with the reality of his own words, his own record, with respect to an illegal, province-wide strike.

I think the other area we should be exploring—we talked about this initiative being irresponsible, but it's even more irresponsible with what we're hearing today in response to questions from the opposition. There is no plan here. There is a supposition, I guess, that nothing is going to happen. Well, this could be affecting the education sector; it could be affecting the health care sector; it could be affecting garbage pickup. This government is putting communities in jeopardy, and apparently they have no plan. If they have a plan, let's see it today; let the people of Ontario see it today. Bring forth the plan.

Hon. Mr. Gerretsen: It's kind of interesting that these comments are coming from a member who was part of a government when, during its period of time in office, those eight years, there were probably more strikes in Ontario as a result of its activities in the entire labour field than at any other time during our province's history.

I say to this member that we have full confidence in our municipalities, in our school boards and in our local hospitals to deal with any situation that may come forward. We respect the process, and we urge each and every CUPE member not to be involved in any illegal activity, because it is not going to advance their cause.

CHILD CARE

Ms. Andrea Horwath (Hamilton East): The question is to the Premier. In 2003, you promised to invest \$300 million of new money into creating more regulated child care spaces. But yesterday in finance committee your Liberal MPPs voted against a motion to invest \$150 million into much-needed affordable child care spaces.

In Ontario, nine out of 10 children can't get the care they need. Premier, \$150 million is only half of what you promised Ontarians. Why can't you even keep half a promise?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Speaker, the Minister of Children and Youth Services.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I am happy to continue the conversation that started yesterday because I'm no closer to understanding where our opposition parties here in Ontario stand when it comes to supporting parents and their children.

We know where we stand. We also know that we are the government that worked really hard to strike a five-year, \$1.9-billion agreement with the government of Canada. We did this because parents told us that this is what they need when they have to struggle with balancing the demands of work and home.

Instead of the member from—where are you from, Mr. Yakabuski?

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): Pembroke.

Hon. Mrs. Chambers: Instead of—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

1440

Ms. Horwath: Minister, I can tell you where we stand: We stand clearly behind families who expect their provincial government to make good on their promise to fund new child care spaces in Ontario. You promised to invest new money in child care in this province. Yesterday, your committee members went on record and broke that promise. Relying on federal money for child care is not the same as investing yourself.

Premier, yesterday's \$150-million child care motion was only half of what you promised in Ontario, yet your Liberal members couldn't even agree to that. When will you live up to your word?

Hon. Mrs. Chambers: The member from Hamilton East would have been well advised to lobby during the campaign instead of contributing to bringing down a government that was there to support parents and chil-

dren who need this kind of assistance. I seem to remember it was your federal cousins, your federal counterparts, who brought down a government that was on the right track in supporting good-quality developmental child care. But no, partisan politics always wins out when it comes to that party across there, not the benefit to children and their parents.

We struck an agreement with the government of Canada on behalf of parents and children. Stand up for the people in your riding. Stand up for the parents who are expecting you to represent their interests. Stand up for them.

Interjections.

The Speaker: We have a member waiting to ask a question. Order.

AMBULANCE SERVICES

Mr. John Wilkinson (Perth–Middlesex): My question is for the Minister of Health and Long-Term Care. Minister, my constituents in Perth–Middlesex rely on land ambulances to be their first point of contact in a health emergency. Minutes can mean the difference between life and death. This is especially true in our far-flung rural communities. We need timely services, whether you live in a city or on a concession.

Since the Tories downloaded land ambulance funding in 1999 on a supposed 50-50 basis, my municipalities have been struggling to keep up with the rising costs they've been forced to shoulder by the provincial government not being a full 50-50 partner. I can tell you that my rural municipalities and I believe that the land ambulance funding inequity is their number one issue. Minister, what is the government doing to ease this cost burden?

Hon. George Smitherman (Minister of Health and Long-Term Care): I think what applies to the principle of a 50-50 program is the principle of partnership. I think this morning at the ROMA/OGRA meeting, the Premier reflected on that very well. I had the privilege, as many members did, of being in attendance. I'd like to quote from the Premier's speech to those 1,200 people or so.

Mr. Rosario Marchese (Trinity–Spadina): Way to go, Dalton.

Hon. Mr. Smitherman: Here, Rosie, listen: "We have listened. And we have heard you.

"Right now, the province is paying about 38% of the costs of land ambulance.

"That is going to change.

"I am pleased to announce this morning that we are committing an estimated \$300 million over the next three years to achieve a true 50-50 funding share of municipal land ambulance services by 2008."

We all acknowledge that there are challenges for those municipalities, and on the property taxpayer especially. We've been working hard to upload the cost of public health, and now we add \$300 million over three years to sustain the partnership with our municipal partners, with \$50 million coming right away.

Mr. Wilkinson: Minister, I want you to know that for all of us at the ROMA conference this morning, and at Good Roads, this was incredible news for the rural municipalities right across this province. By closing the fiscal gap, our government is ensuring that our rural constituents continue to receive first-class health care and emergency services like everyone else in Ontario.

I know my municipal colleagues know the difference between a Tory download and a Liberal upload. But we know that closing this gap is not the only solution. Minister, can you please tell me what other initiatives our government has taken to improve land ambulance services?

Hon. Mr. Smitherman: At this morning's meeting, I think the Premier also challenged us all, those of us who have the responsibility to manage this program, to do so in a fashion which seeks, in the most efficient way possible, to limit that cost increase, which really has been a challenge and a burden for that municipal property taxpayer.

In addition to the investment, though, that I had the chance of refreshing about just a moment ago, we are going to do more work through the AMO MOU task force, which my colleague the Minister of Municipal Affairs has been leading. The Ministry of Health will continue to work through that table with the Association of Municipalities of Ontario to address other challenges around the delivery of land ambulance, to look at cross-border issues that sometimes plague the relationships among bordering communities, to work harder on issues related to ambulance off-load delay, where we've recently moved forward with some significant initiatives to the tune of almost \$100 million, and to continue to work to enhance the fleet. That's why we recently invested \$12 million in land ambulance equipment, to assist those municipalities further to deliver those important services for the honourable member's constituents.

OMERS PENSION FUND

Mr. Cameron Jackson (Burlington): My question is to the Minister of Health and Long-Term Care. There are going to be serious consequences to any kind of illegal strike this week in our province. Important public services may be compromised. In particular, the health and safety of seniors in long-term-care facilities may be at risk. I don't need to remind you of just how fragile and frail many of these seniors are in these homes. Minister, my question to you is this: Have you or your ministry expressed any concern or have you contacted any of the long-term-care associations in this province to ensure that, should there be an illegal strike in this province, the safety of the 70,000 seniors in long-term-care homes will not in any way be adversely affected?

Hon. George Smitherman (Minister of Health and Long-Term Care): I appreciate the question from the honourable member. Of course, we all share the concerns he expresses. That's why I think the advice that has been on offer today from our Premier and from the Minister of

Municipal Affairs with respect to those who would engage in an illegal strike are important messages for everybody to absorb.

Of course, the primary relationship between employee and employer is that of our health care providers in Ontario. We're operating on the basis of independent governance, and the provision of those services rests there. The relationship between the ministry and those providers is an important one and, of course, ministry staff have been working with a variety of providers with a view toward making sure that all their plans and contingencies are appropriately in place. Paramountcy for us at all times is the care for our patients.

Mr. Jackson: Minister, this morning I contacted the Ontario Long Term Care Association, and they indicated that there has been absolutely no contact, not a single e-mail, not a single memo, not a single phone call, from either you, your ministry or ministry staff, either here at Queen's Park or in the regional offices. I further went and contacted the community care access centres association of this province, and they, too, confirm that for the 100,000 seniors who receive daily care and attendant care for health and related daily living needs, there has been no contact, no concern, no memo, no requests for contingency planning from your ministry.

Minister, need I remind you that 23 people died at the Seven Oaks long-term-care facility on your watch? Why have you no plans and no concerns, and why are you not expressing any real concern about this issue, and putting in contingency plans? Why are there no plans for the safety of Ontarians during this illegal strike?

Hon. Mr. Smitherman: When the honourable member had two minutes, with several seconds used for some part of the discussion that most people would view as decidedly unhelpful, why did the honourable member not seek to offer one or two words of advice and concern to Sid Ryan? There is responsibility for leadership. We're taking responsibility in terms of providing those services to Ontarians. The Premier has said it well, and he has said it well on behalf of our government and the people of Ontario: that there is an obligation—

Interjection.

Hon. Mr. Smitherman: You're not even in your seat. There is an obligation on all our parts to conduct ourselves in a fashion that is responsible. When one takes their protest to the point that it can be a challenge to lives and impact on services, then this is an obligation all must share. The honourable member, I believe, would be well advised to spend some of his time calling Mr. Sid Ryan.

EMPLOYMENT STANDARDS

Mr. Peter Kormos (Niagara Centre): A question to the Minister of Labour: Sir, your promise to crack down on bad bosses has been a huge letdown. Seelan Kandasamy is here today in the gallery. He works at Amato Pizza, where workers were forced to work as long as 80 and 90 hours a week without overtime, paid less than minimum wage, and in some case not paid at all. Your

ministry says that it investigated, but nothing has changed. Why aren't you enforcing the laws that are designed to protect Ontario workers like Seelan Kandasamy and his colleagues at Amato Pizza?

1450

Hon. Steve Peters (Minister of Labour): I beg to differ with the member. It's interesting; when you look at the period 1990 to 2004 in the province of Ontario, there were 97 employment standards investigations—97 in 14 years. In 2005, in 12 months, there were 226 prosecutions. So I beg to differ with the member. We take employment standards in this province very seriously, and looking after the rights of our employees is of extreme importance to this ministry.

As far as the issue that you raise, in response to the claims that the employees made, orders to pay were issued against the company. Three of those claims were under the Employment Standards Act. These claims, though, were unpaid, and they're now in the collections process. So as a result of proactive inspections by the ministry, three payments have been made, and more payments are owed to the employees.

Mr. Kormos: Minister, the Amato employees didn't complain to your ministry so that they could become judgment creditors awaiting execution of a writ against Amato. They wanted their rights under the Employment Standards Act protected, with prosecutions, if need be. During the course of your so-called investigation, one worker went 15 weeks without regular pay, five others didn't receive regular wages for four weeks and others worked 63 to 80 hours a week without any overtime.

During your so-called investigation, your ministry didn't talk to any of the workers. They talked only to management, who, not surprisingly, weren't all that forthcoming with the fact that they, Amato Pizza, were breaking the law. That's like asking Al Capone to guard the bank.

Workers like Seelan Kandasamy are waiting for you to keep your promise. He and his co-workers need real protection and an inspection system that ensures that bad bosses are not only caught, but prosecuted. When are you going to do that?

Hon. Mr. Peters: I reiterate: in 14 years, including five years under that government, 97 prosecutions; in one year, 226 prosecutions. I think that demonstrates very clearly, as I said earlier, that we are committed to enforcing employment standards in this province.

As well, as I pointed out earlier, we have conducted proactive investigations to review the employer's records of all employees at all locations. I reiterate: As a result of this proactive inspection, Amato has made three payments owed to employees. We do take this very seriously, and we've demonstrated that we do take this seriously. Unlike his time in government, when they weren't there standing up for the rights of employees in the province of Ontario, we are.

As well, I take some exception to the comments that were made. We feel it's very important to translate employment standards into other languages in this

province. People are now able to view the Employment Standards Act in over 25 languages. That's important. That's—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

OMERS PENSION FUND

Ms. Monique M. Smith (Nipissing): My question today is for the Minister of Municipal Affairs and Housing. Minister, you've said on many occasions in this House that our government has acted in the best interests of both employers and employees when it comes to OMERS pension plan autonomy. While responding to inquiries from my constituents on Bill 206, I went to the OMERS board website at www.omers.com. It had some interesting information for its members, including the following: "As the legislative process moves forward, it's natural for different stakeholders to have different points of view, and as the bill nears final approval, they are looking to influence the government. For example, some feel the new benefits enabled by the bill will be too costly. Others," however, "feel that the rules that govern the decision-making process of the sponsors corporation are unfair."

Minister, what will happen to the OMERS pension plan if Bill 206 is passed?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I, too, would encourage all employees who are part of the OMERS plan to take a look at that website, because, after all, the OMERS board is made up of an equal number of employer representatives and employee representatives. When they put out a news release or a statement, it's on behalf of the entire board. That includes employee groups as well.

Let me quote from another part of their website. I'm sure that OMERS members will find this straightforward language very reassuring, and it deals with: "Do you need to worry about your pension? In a word, no. There is nothing in Bill 206 that puts the pensions of our members at risk. In fact, this model gives members a voice in making the final decisions on their plan." Quite frankly, we are putting a voting member on both the sponsors corporation and the administration corporation so that individual will have a say in the future of the OMERS pension plan, as it should have been right from the beginning.

Ms. Smith: Like many in this House, I've had many letters and e-mails from constituents who are either current members or retirees of the OMERS plan, and as you've suggested, Mr. Minister, I've been sending them to the OMERS website as well. They've been asking what will happen to the current OMERS plan should Bill 206 pass. Once again, the OMERS website answers the question as well. They've been receiving a lot of different information from various sources, as you know, and they're looking for some straight answers.

The OMERS website states:

"OMERS' mandate remains as it is today—overseeing investments and administering the plan....

"Our pension services will not change either....

"The safeguards that protect our pension fund are in no way affected by Bill 206. Like all pension plans, OMERS is subject to federal and provincial laws that protect the rights of members and retirees and set investment limits to minimize risk....

"Bill 206 establishes an independent governance model and replaces the Ontario government as the plan's sponsor." This is from their website. However—

The Speaker (Hon. Michael A. Brown): I believe the question must have been asked. Minister?

Hon. Mr. Gerretsen: Let me be as clear as anyone can be: Bill 206 does nothing with respect to the existing pension plans. As a matter of fact, what will happen is that once the bill is approved and given royal assent, two corporation boards will in effect be set up: a sponsors corporation and an administration corporation. They will have equal representation from both the employer and employee groups. As a matter of fact, CUPE will have four out of nine voting members—four out of nine votes on the employee side—giving them the exact same percentage on the employee side as the percentage they have of the total membership of employees.

The bill we are proposing today has had lots of discussion over the last 10 years, has been subject to two legislative hearings, has been amended—we've even included a number of good NDP amendments—

The Speaker: Thank you. New question.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): My question is for the Premier. We've asked the Premier today about contingency plans for health, education and long-term care. I want to ask him about roads and infrastructure.

Last weekend, we had tragedies in this province because of weather and traffic accidents. I ask, and I think the people of Ontario have a right to know, what your contingency plan is—we're in the middle of winter, Mr. Premier. What is your plan, in case of severe and extreme weather, to ensure that the safety of Ontarians on our roads and highways is not compromised in the event of an illegal strike?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I cannot believe that any CUPE member would endanger the safety of Ontario drivers. I have every confidence that they will do the right thing, that they will fulfill their responsibilities—oh, not to me; this is a matter that is somewhat removed from the government. This is a matter between employers and employees. They will want to do the right thing. They will understand what we have done as a government by way of establishing good labour relations across the board, and the fact that we're also very proud that, on our watch, our investments have led to about 5,000 new CUPE members being hired in Ontario schools and about 200 new CUPE members working in our child care centres and our children's aid societies. This is a union that has flourished under our government, and we look

forward to continuing to work with them in the public interest.

1500

PETITIONS

HEALTH CARE

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Liberal government has made the decision to create 14 unaccountable local health integration networks," also known as LHINs, "without properly consulting the people of Ontario; and

"Whereas Liberal hospital funding policies have led to layoffs of health care workers and closures of programs, harming both patients and workers; and

"Whereas the Liberals are continuing the Tory policy of contracting out home care services, causing harm to patients through lack of continuity of care; and

"Whereas the health care system needs stability, not health care chaos;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government reconsider its ill-conceived plans for the LHINs and instead create an integrated health care system that emphasizes stability over chaos, fair treatment of all health care workers, democratic and accountable decision-making, and publicly funded, administered and delivered health care services. The government must stop all hospital layoffs, end competitive bidding in home care and maintain all collective agreements and successor rights of affected workers, which will provide continuity of care for patients."

I affix my signature.

OMERS PENSION FUND

Mr. Khalil Ramal (London–Fanshawe): "To the Legislative Assembly of Ontario:

"Whereas firefighters and police officers perform an important and dangerous public service on a daily basis; and

"Whereas they deserve a chance to enjoy their retirement years knowing their future is financially secure; and

"Whereas the devolution of the Ontario municipal employees retirement system pension plan has been debated and consulted on for over a decade; and

"Whereas Bill 206 has been through extensive consultation, two rounds of committee hearings and a number of amendments;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 206 as soon as possible."

I agree with this petition. I will affix my signature underneath it, and I'm going to give it to the page, William.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John O'Toole (Durham): I have a petition from the riding of Durham. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I'm pleased to support this on behalf of my constituents and persons with special needs.

OMERS PENSION FUND

Mr. Mario G. Racco (Thornhill): "To the Legislative Assembly of Ontario:

"Whereas firefighters and police officers perform an important and dangerous public service on a daily basis; and

"Whereas they deserve a chance to enjoy their retirement years knowing their future is financially secure; and

"Whereas the devolution of the Ontario municipal employees retirement system pension plan has been debated and consulted on for over a decade; and

"Whereas Bill 206 has been through extensive consultation, two rounds of committee hearings and a number of amendments;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 206 as soon as possible."

HANDGUNS

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly of Ontario.

"I think a handgun ban is an absolutely essential component of any intelligent, comprehensive plan to address shootings, especially those that are taking place here in the city of Toronto. I think we owe it to our young people in particular to take guns off the streets, and I can't think of anything more powerful in that regard than a handgun ban."

That's by Dalton McGuinty, Hansard, December 8, 2005.

"We, the undersigned, respectfully disagree with Mr. McGuinty and petition the Legislative Assembly of Ontario to take action on violence and young people by providing resources for police and fixing the justice system."

I affix my signature.

GASOLINE PRICES

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the price of gas is reaching historic price levels; and

"Whereas provincial and federal governments have done nothing to protect consumers from high gas prices; and

"Whereas provincial tax on gas is 14 cents per litre and federal tax is 10 cents per litre, plus 8% GST; and

"Whereas these taxes have a detrimental impact on the economy and are unfair to commuters who rely on vehicles to travel to work; and

"Whereas the province has the power to set the price of gas and has taken responsibility for energy prices in other areas, such as hydro and natural gas; and

"Whereas we call on the province to remove the 14.7-cents-per-litre gas tax and on the federal government to eliminate the 10-cent gas tax, plus 8% GST, which amounts to 30% or more;

"We, the undersigned, petition the Legislative Assembly of Ontario and urge the Premier to take action and to also persuade the federal government to remove its gas taxes."

I support the petition and affix my signature.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John O'Toole (Durham): I also would like to recognize the police and fire and other visitors in the gallery today, on this very important day of Bill 206. I would have appreciated more hearings, but this bill will pass; I'm confident of that.

I have a petition here that I'm pleased to present on behalf of my constituents in the riding of Durham.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario address, as a priority, funding to community agencies in the developmental

services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I'm pleased to support this and give it to one of our new pages, Yasmeen.

DIABETES TREATMENT

Mr. Bob Delaney (Mississauga West): I am pleased to join with my colleague the member for Peterborough in this petition to the Legislative Assembly of Ontario. It reads as follows:

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We are requesting that all diabetic supplies ... as prescribed by an endocrinologist or medical doctor be covered under the Ontario health insurance plan.

“Diabetes costs Canadian taxpayers \$13 billion a year and is increasing! It is the leading cause of death and hospitalization in Canada. Many people with diabetes cannot afford the ongoing expense of managing” the disease. “They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These cost-saving measures often have tumultuous and disastrous health consequences.

“Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes....

“We think it is in all Ontarians’ and the government’s best interest to support diabetics with the supplies that each individual needs to obtain optimum glucose control. Good blood glucose control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think of how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control.”

I'm pleased to sign this petition and to ask page William to carry it for me.

1510

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly of Ontario which has been signed by many people from both Grey and Bruce counties.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25%

less than salaries paid to those doing the same work in government-operated services and other sectors;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I've affixed my signature.

Mr. John Yakubski (Renfrew-Nipissing-Pembroke): I have a petition here that I'd like to read.

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature to this, Mr. Speaker, and pass it to you through the page.

ASSISTANCE TO FARMERS

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition here today prepared by Sonny Sansone from my community. It's addressed to the Legislative Assembly of Ontario and it reads as follows:

“Whereas Ontario farmers are facing difficulties in earning their living and supporting their families;

“Whereas urban residents, such as those in Toronto, count on a reliable food supply from Ontario farmers; and

“Whereas farming is an integral part of the Ontario economy;

“We, the undersigned, petition the Legislative Assembly as follows:

“To ensure that Ontario farmers are supported so that all residents can count on a reliable, well-priced, safe food supply for all Ontario residents.”

I agree with the contents of this petition and affix my signature to it and give it to page Jordan.

SCHOOL CLOSURES

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):

I have a petition to the Legislative Assembly of Ontario which reads as follows:

“Whereas Dalton McGuinty, our newly elected Premier, has publicly pledged to move quickly to re-establish local democracy when it comes to public education in Ontario; and

“Whereas Mr. McGuinty has publicly asked that ‘cuts and school closures’ should be ‘set aside’ and that ‘that business’ should be left for the incoming, duly elected trustees; and

“Whereas Mr. Gerard Kennedy, our newly elected Minister of Education, has stated publicly that “school boards aren’t operating as closed shops anymore”; and

“Whereas there is universal support for the school amongst its staff, parents, student body and the community at large; and

“Whereas Prince of Wales Public School in Barrie is the oldest continuously operating school in Simcoe county; and

“Whereas Prince of Wales Public School has been providing the community with quality education for more than 125 years; and

“Whereas the impact of the closure of Prince of Wales would be devastating on the whole of the downtown core, and most especially the urban neighbourhood which the school serves;

“Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitment and ensure that community schools are not forced to be closed and that specifically the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie.”

I support the petition and affix my signature.

ASSISTANCE TO FARMERS

Mr. Bob Delaney (Mississauga West): I’m pleased to acknowledge the assistance of Sonny Sansone from Scarborough Southwest, who has kindly provided this petition to the Ontario Legislative Assembly, which I will now read. It reads as follows:

“Whereas Ontario farmers are facing difficulty in earning their living and supporting their families;

“Whereas urban residents, such as those in Toronto, count on a reliable food supply from Ontario farmers; and

“Whereas farming is an integral part of the Ontario economy;

“We, the undersigned, petition the Legislative Assembly as follows:

“To ensure that Ontario farmers are supported so that all residents can count on a reliable, well-priced, safe food supply for all Ontario residents.”

I’m pleased to add my signature in support of this petition and to ask page Nicholas to carry it for me.

ORDERS OF THE DAY

ONTARIO MUNICIPAL EMPLOYEES
RETIREMENT SYSTEM ACT, 2006LOI DE 2006
SUR LE RÉGIME DE RETRAITE
DES EMPLOYÉS MUNICIPAUX
DE L’ONTARIO

Mr. Gerretsen moved third reading of the following bill:

Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l’Ontario.

The Acting Speaker (Mr. Ted Arnott): I recognize the Minister of Municipal Affairs with his lead-off speech.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Before I make my remarks on Bill 206, the Ontario Municipal Employees Retirement System Act, 2006, I would first of all like to thank the members of the standing committee on general government, which includes members of all political parties, for their hard work on this bill.

Our proposed legislation is the result of extensive consultation and two—not one, but two—sets of committee hearings. This government took the unusual step of requesting that the Legislature hold committee hearings after first reading, and then again after second reading.

I’ve heard the Leader of the Opposition say that he thinks this legislation has been rushed. I would ask him and his colleagues where he thinks the hurry has been. This legislation was introduced on June 1, 2005. That was eight months ago. It has been talked about since 1995 and has not been dealt with by any previous government. It’s time to get on with transferring control of the OMERS pension plan from the government to the people who pay into it and who benefit from the pension plan.

More than 355,000 active and retired members depend on the OMERS pension plan. This includes a diverse range of employees who depend on the plan for their own and their families’ future financial security. It is clear that all OMERS employees hold strong views about their pension plan and its future. Over 900 different employers contribute to OMERS. These employers are a diverse group as well, who take their role in the shared governance seriously. Employers and employees often have divergent views and competing interests. As a result, no bill to reform OMERS will fully satisfy all of the groups that participate in the plan. Employers and employees are each responsible for making up one half of the contributions to the plan, and have done so since 1962.

Like other public sector plans, OMERS is based on the principle of shared risk and reward. Employers and

employees are responsible for contributing equally to the plan, and they are responsible for sharing plan liabilities. Our proposed legislation, Bill 206, continues with that tradition, and goes further to ask employers and employees to share together in the governance of the plan. Shared governance means give and take on both sides, and shared governance also means that the interests of any one party will not always prevail. Our proposed legislation offers a balance between the interest of the employers who pay into the plan and the employees who pay into the plan and benefit from the plan. Mindful of that balance, our proposed model will provide a framework that will allow for representatives of employers and employees to work together to ensure that the OMERS pension plan strives to meet the interests of all of the plan's participants.

1520

In that regard, may I just say that the sponsors corporation in the proposed model will have 14 members on it: seven on the employer side and seven on the employee side. The seven members on the employer side will represent the Association of Municipalities of Ontario, the city of Toronto, the school boards, the Ontario Association of Police Services Boards and two other employers that will be rotated from amongst the representatives of the other 90 employer groups.

On the employee side there will be a CUPE representative from Ontario's local, a CUPE Local 79 and 416 member—basically Toronto CUPE; they will rotate their membership—a member from the Police Association of Ontario, the Ontario Professional Fire Fighters Association, the Ontario Secondary School Teachers' Federation, one other member who will be rotated amongst other unions and associations, and one retired member.

The voting on this 14-member board will contain 18 votes. The CUPE Ontario member will have three votes, so the CUPE votes will be four out of the nine employee votes, which are roughly 45% of the total employees, which happens to be the total number of employees from CUPE who contribute and are members of the plan. Similarly, the Association of Municipalities of Ontario will have two votes each, for a total of four out of nine votes on the employer side as well, because the municipalities are by far the largest employer contributor to the plan.

I would also like to take the opportunity to address the many misunderstandings that seem to be circulating concerning Bill 206. Simply stated, we intend to transfer control of the plan from the provincial government to the people who pay into it and benefit from the pension plan. Yet many myths are still circulating about our proposed legislation. I would like to begin by being very clear that no one's pension is in peril due to this proposed legislation. Let me repeat that: No one's pension is in any danger whatsoever as a result of this legislation.

This apprehension is of a tremendous concern to me and to our government, and I want to assure pensioners that our proposed legislation fully protects current

OMERS pension beneficiaries. As a matter of fact, for the first time ever they will have a vote on both the administration corporation, which will basically look after the management and the investment of the plan, and the sponsors corporation, which will basically determine what benefits and changes should be made to the plan.

But I understand the concern of the pensioners. When the structure of the pension plan changes, people who receive a pension from that plan or who expect to receive a pension in the near or distant future tend to get very anxious. I know I would, and I think most of us here would as well. So let me be clear once again: There is nothing in our proposed legislation that would change the terms of existing pension payments. Pensioners will not see a reduction in the amount of pensions they are receiving because of Bill 206. In fact, under our proposed legislation, for the first time, as I mentioned before, OMERS pensioners will have a vote on the sponsors body, which in our model is called the sponsors corporation.

On another note, over the past few weeks, members of the Canadian Union of Public Employees have been told by their leadership that Bill 206 discriminates against female municipal workers. That is patently incorrect and wrong. Let's start by being clear that the OMERS plan currently already distinguishes between two types of employees based on their type of employment. These two types are those with a normal retirement age of 65 and those with a normal retirement age of 60. The last group, the normal retirement age of 60, already includes police officers and firefighters. The distinction between the two groups of workers is not based on gender whatsoever. The two groups pay different pension contributions, in that the NRA 60 group already pay more based on the higher cost of their earlier retirement pensions, as do the employers, obviously, because they contribute on a 50-50 basis. Bill 206 continues this distinction.

What we have proposed in the bill is the establishment of a supplemental benefit plan for police, firefighters and paramedics. Let's also be clear that our proposed model does not require supplemental benefits for all police, firefighters and paramedics. The plan merely provides another item for police officers, firefighters and paramedics to consider as part of their collective bargaining processes at the local level.

We have also enabled the sponsors corporation in our proposed model to create supplemental benefit plans for all other groups of OMERS members. The sponsors corporation would be free to establish supplemental benefits for other groups of OMERS plan participants.

Some people have the mistaken belief that funds in the main OMERS plan can be used to pay for the costs of any benefits in the supplemental plan we are proposing for police officers, firefighters and paramedics. I believe that this error, or at least this mistaken belief, has been corrected over and over again. Yet certain parties continue to perpetuate the myth that funds in the main plan can be used for this purpose. Bill 206 simply will not allow the transfer of any assets from the main plan to the

supplementary plan or vice versa. Again, our proposed legislation specifically states that funds in the main plan cannot be used to pay for benefits in the supplementary plan. The bill has additional provisions that require supplemental plan members, along with their employers, to pay all the additional costs of those benefits.

A further concern has been raised about the cost of the supplemental plan benefits. Many people are overlooking the fact that any supplemental benefits would have to be decided on locally. This will usually be through the collective bargaining process, and, as we all know, collective bargaining involves give and take. Therefore, any supplemental benefit bargained for would likely mean that something else is given up in the bargaining at that point in time or not bargained for at that particular time. A supplemental benefit should therefore not necessarily be regarded as a net new cost.

Our proposed model would also limit each employee group to one additional supplemental benefit initially—remember that any cost of any such benefit is to be shared equally between the employee and the employer. We also propose in the bill that three years will have to pass before another supplemental benefit can be added. This too will contribute to containing the cost of supplemental benefits on both the side of the employee and the side of the employer. What is more, the Minister of Finance has indicated that he is prepared to recommend that the new supplemental benefits be exempt from the solvency funding rules. Again, this would be another step toward making the proposed supplemental benefits more affordable to both the employers and the employees.

Some representatives of the employee groups claim that the voting protocol we are proposing—namely, that two thirds of the members in the sponsors corporation vote in favour before any significant change—is excessive, that it establishes too high a threshold and means that no benefit changes would ever be agreed to for the main plan.

There's a good reason that we settled on the two-thirds majority vote. As has already been indicated, AMO wanted unanimity, 100%; some employee groups, including CUPE, wanted 50%. We settled on two thirds. These types of changes that we're talking about in the supplemental plans, improvement or reductions in benefits and changes in contribution rates, for example, would have a lasting impact on the financial viability of the OMERS plan. We are talking about changes to people's pension benefits that would affect contributions and future benefits of thousands of people, and this could lead to increased costs not only for employers but also for employees as well.

1530

It only makes sense that decisions of this type, decisions that could have important financial repercussions and affect thousands of people's lives, should require a significant level of support from both the employer and employee representatives on the sponsors corporation. Of course, Bill 206 makes provision for sponsors to take matters that don't meet this two-thirds majority test

forward for mediation and arbitration, if the request has the support of 50% plus one. Now, with respect to arbitration, I should also be clear that under our proposed model an arbitrator involved in the decision on the sponsors corporation would be limited to making an award that results in an increase of no more than 0.5% in contribution rates during a three-year period.

It's time for the parties opposed to this bill to basically stop fearmongering and look rationally at the proposed legislation. Our bill is full of safeguards and protections for contributors to the plan and for the beneficiaries and pensioners. Any major decisions to change the plan, such as changes in benefits or contribution rates, would have to be approved by a two-thirds majority vote from the sponsors corporation.

To protect retirees, and the plan generally, our proposed legislation would require that the OMERS main plan be funded to 105% of liabilities before any change requiring reduced contributions or increased liabilities could be made. This requirement is to help ensure the solvency of the main plan for current and future beneficiaries.

Next, I want to address just briefly the accusations that the government is rushing this bill through the Legislature. Nothing can be further from the truth. Let me just tell you a little bit about the history of the proposed OMERS model. As has been indicated in this House on a number of occasions, for more than 10 years OMERS stakeholders have talked about devolution of the governance of OMERS.

Before I go any further, I just want to explain what the devolution of governance means, for those who may not have been following this debate all that closely. Very simply stated, it means transferring control of the plan from the provincial government to the people who pay into it and benefit from the plan. Right now, the provincial government controls the OMERS pension plan. This means, for example, that the government decides what contribution rate will be paid for by the plan members; what the level of benefits to plan members will be when they retire; what, if any, supplemental plans there will be; and what benefits would be in those supplemental plans.

I want to point out, though, that the provincial government does not pay directly into the plan, except in cases where they're also the employer. This makes OMERS the only public sector pension plan that I'm aware of or that I know of that has a party controlling the pension plan that doesn't even pay into the pension plan. As I said earlier, discussions about changing this anomaly have been going on for more than 10 years, and the government wants to transfer control of the plan from the government to the people who, once again, pay into it and benefit from it. The OMERS board itself, made up of equal representatives from employers and employees, came out with a model to correct the governance of the plan in 2002, in an OMERS board of directors report. We took the model recommended in that report and built on it. The result is a model that we believe achieves the right balance between competing demands.

I want to talk about how we arrived at our model in Bill 206. Again, we introduced our proposed model for OMERS governance devolution on June 1, 2005. We then took the unusual step of requesting legislative hearings on the bill after first reading. We listened to the plan's participants, who had constructive comments on our model. Government members on the standing committee then requested many amendments to our proposed legislation based on those comments.

Bill 206 had its second reading on December 12 last year—six months after first reading. This was to give OMERS members plenty of time to review the proposed legislation and amendments. I repeat: We wanted to give OMERS stakeholders plenty of time to understand our proposed model.

Then we had further hearings in late January and more clause-by-clause debate, proof of our government's determination to make our proposed OMERS model as fair as possible. We adopted at that time a number of different amendments at these clause-by-clause hearings, including three proposed by our NDP colleagues. So two sets of hearings, eight months to get to third reading, and some still insist on saying that we're rushing this legislation through.

The government has certainly received a lot of suggestions from OMERS members, who are rightly concerned about their pension plan. I have mentioned the many amendments we have made based on the constructive comments made at the hearings held by the standing committee on general government. We believe that Bill 206, as amended, strikes a fair balance between the needs and interests of different employer and employee parties in the OMERS pension plan.

In conclusion, I simply want to thank the many OMERS stakeholders who have helped us provide in Bill 206 a balanced model for the diverse groups of employees and employers who make up the membership of the pension plan. To be more specific, these are the approximately 224,000 employees who are active members paying into OMERS currently; the retirees, approximately 131,000 members, who are current OMERS pension beneficiaries; and the employers, which include 382 municipalities, 88 school boards, and 416 other local boards, such as library boards.

If passed, our proposed legislation will give these groups the long-awaited and well-deserved control over their retirement pension plan that they have been paying into and upon which so many do, or will in the future, depend. If passed, our proposed legislation will see the provincial government removed from the governance of the pension plan, to which it does not directly contribute.

Finally, I would like to thank my parliamentary assistant, Brad Duguid, who led the process during the legislative hearings at committee and has done a tremendous amount of work on this bill throughout the entire process in many different ways.

If passed, our proposed legislation will further contribute to the autonomy that our municipal partners expect and deserve as mature orders of government. I urge

every member of this House to support this bill, since it's the right thing to do for our OMERS members.

The Acting Speaker: Questions and comments?

Mr. Ernie Hardeman (Oxford): I want to thank the minister for another great rendition of what he had intended to do but, in fairness, what he somewhat missed in achieving. He speaks quite eloquently about all the consultation and the support of all the players in the OMERS plan, yet when I see all the players in the OMERS plan, the vast majority of both the employers and the employees are totally opposed to this approach that the minister has taken. So I find it kind of ironic that the minister would still refer to the massive support that exists for this piece of legislation. I'm afraid it is greatly limited in support.

1540

I just had the opportunity of coming back from the gathering of the municipal officials from rural and small-town Ontario at the Rural Ontario Municipal Association's conference, along with the Ontario Good Roads Association's conference. The room was full of people. The topic around the hall was not about the things that they were being told by the Premier; it was about Bill 206 and why the government would be doing that to them. So I find it hard to understand where the minister would still come from with, "Everybody in the plan supports it."

The big problem with this bill—we'll get to it a little bit later, when I have an opportunity to speak to the bill—is that it's about devolution, and they're making all the changes that the players in the plan don't want made before they devolve it, as opposed to letting those people who are involved in the plan make the changes that they deem most appropriate for both management and all the players within the plan. I would ask him to reconsider the approach he has taken with this, and to actually work with the players within this plan to make it work for the betterment of all the people in OMERS, as the minister has said he wanted to do.

Ms. Andrea Horwath (Hamilton East): It was quite entertaining to listen to the minister gloss over all the big, big problems that this bill has and then speak to all the things that he thinks are okay with the bill. Fortunately, the members of the opposition will get an opportunity to highlight some of the problems with the bill, which, of course, have to be highlighted, because it's causing quite a problem in the province of Ontario. In fact, it's irresponsible, in my opinion, that this bill is here when there are still such fatal flaws in the bill.

I started to think, during the second round of public hearings on the bill, why is it that this government can't figure out why there's so much of a problem in terms of stakeholders' acceptance of the bill? It became very clear in one of the meetings, when the parliamentary assistant could not really decide at the time what the purpose of the bill was. Was it what the minister had initially talked about, which was the idea of devolving OMERS to the stakeholders, or was it to follow up on a promise made to police and fire about their supplemental benefits? That is

the crux of the problem this government got itself into. It wasn't clear what it wanted to do in the first place. It's a very technical, very difficult and very significant issue for many workers throughout this province.

I can tell you that not only were New Democrats very much supportive of the idea and the principle of supplements, but we were also equally concerned that this bill, which takes on so many issues for so many workers, be a fair bill that treats everyone properly and with fair process, particularly the piece that the minister glossed over: a big group of workers who are not able to obtain the same consideration because processes have been built in. Not the first time around, but the second time around in the hearings process, the government brought forward amendments that basically stymie the ability of some workers to get a fair deal.

Mr. Khalil Ramal (London–Fanshawe): I'm privileged and honoured to stand up this afternoon to speak in support of Bill 206, because I believe it's about time. This bill is nothing new in this place. It was introduced almost 10 years ago. Many different governments of different stripes never dealt with it until this government came, opened it up and dealt with it in a professional manner, according to the procedure of this place, and followed all the steps, all the legalities involved with this bill.

The committee took the bill and travelled the province. From every corner of the province we received petitions, affirmations, representations. We received so much information about it.

This bill was introduced 10 years ago. It is about time. It's about time for it to be dealt with, to be open, to talk to the people, who deserve it. This bill is about fairness.

I know there are so many different stories out there being told by the unions, misinforming the workers. I want to tell you a story. This past Friday, one of the workers who work in the school—probably he is watching me today—came to my office. He was worried. He asked me, "What about my pension, Khalil? Is my pension going to go to the pension for police? Am I going to lose my pension?" These are the stories going on out there. It's about misinforming the workers. It's definitely not correct.

We listened to the Premier talk about it this afternoon. We listened to the Minister of Municipal Affairs talk in detail about it. It's about fairness, applying it to people who deserve it and need it, who contribute to the pension plan so they can get it. It's about fairness, as we mentioned.

It's about time. This bill should have been introduced 10 years ago. It had never been dealt with until this government came to power, until this minister took office. He opened it up, and he wants to deliver what he promised before the election. It's about commitment. That's why we're talking about it. That's why I'm supporting it.

Mr. Norm Miller (Parry Sound–Muskoka): I think it's unfortunate that the government has called Bill 206 into the Legislature today. We know that this will likely

prompt an illegal strike by CUPE, and a lot of people will suffer because of that. I think that's unfortunate. The Leader of the Opposition, Mr. Tory, had written to the Premier and said in his letter, "It's time for everyone involved to take a deep breath and step back." He asked for a meeting including CUPE, AMO, police and firefighters, Howard Hampton and the Leader of the Opposition, Mr. Tory. I think that would have been a sensible thing to do, but instead the government is pushing ahead with this. There's no great need to rush it through, but that is what they are doing and, unfortunately, I think it's going to create a lot of problems in Ontario.

It's my feeling that this bill is a mess. It has had over 100 amendments. If you look through it, it's more strike-outs than it is the original bill. We're talking about a \$40-billion plan, and I think it's pretty irresponsible of the government to be pushing forward with this regardless, especially when we have a strike that will likely be happening as a result of them calling it forward.

We have the employers, being the municipalities, who don't like it. They're concerned that there could be as much as a 3% increase in property taxes. We have most of the employees who don't like it, and we have some employees who do. I say that the government should be taking their time with this, following Mr. Tory's advice, holding that meeting among the affected parties and not rushing this through. Instead, by their irresponsible actions, they're going to force a province-wide strike.

The Acting Speaker: That concludes the time for questions and comments. I'll return to the Minister of Municipal Affairs and Housing, who has two minutes to reply.

Hon. Mr. Gerretsen: Let me thank the members from Oxford, Hamilton East, London–Fanshawe and Parry Sound–Muskoka for their comments.

Let me just say this: I hope that during this debate we can stick to facts. We may have different opinions about the interpretation of some of the facts, but let's not endanger the confidence that our pensioners and our contributors to this plan have had for over 40 years. Let us at least stick to the facts and let us not put out some of the myths that have been put out there by a number of different parties.

The members opposite say, "Let's have a meeting and we can somehow resolve it." They were in government for eight years. They had committees set up to deal with this issue for eight years. We've got about 95 employers on one side and over 90 employee groups on the other side, and the likelihood of getting unanimity over the last 10 years has proven to be unattainable. It is time to move on, but on the clear understanding that there is nothing in this bill that in any way detracts from the main plan from which the vast number of retirees and members of OMERS benefit, either now or in the future. Their pensions are not affected one way or another.

The supplementary plans that we're talking about for our emergency workers, who deserve a plan like this for the risks they take in their daily lives, and which they will be contributing to equally with municipalities, will

not in any way affect the main plan, and that is a fact. I urge the members of this House to support this very worthwhile bill.

1550

The Acting Speaker: Further debate.

Mr. Hardeman: Normally I would stand up and say that I'm pleased to stand here today and discuss Bill 206, the Ontario Municipal Employees Retirement System Act, 2006, but I'm afraid I can't say that today. I think it's somewhat a shame that we are debating this bill, which was called a housekeeping bill when it was introduced by the minister. We have managed, with what I would call incompetence and a total disregard for process, to turn it into a fiasco. In fact, of the people who are members of this plan, both the employers and the employees, there seem to be very few who are now ready to say they support the bill in its entirety the way it's written.

We keep hearing a lot from the government side that this bill is so complicated, we can't possibly have unanimity on it, but I think in every case, including the government's presentation, we tried for as close to unanimity or as close to a consensus as we could achieve.

As we went through this—and we give the government credit for that; when the bill came up for first reading, it was immediately referred to committee, because it was a bill that affected a lot of people, affected their livelihoods, and they wanted to be part of it, to make sure they didn't raise the concerns in their pensions, as has happened. So the government put it forward, it went to committee and we started getting presenters.

All of a sudden, it came out that not only was there not total support for it, there seemed to be very little support for it. The government suggested that they would listen to the presenters and then make some amendments to the bill, and I think that's really where it ran off the rails. Rather than looking at what was happening to the integrity of the bill and the integrity of the purpose that was put forward in the bill, it just became a hodgepodge of bill amendments and amending amendments. In fact, there were times when the bill was amended or proposed to be amended in the same area for a third time, because they just didn't have it right.

I think it's a bit of a challenge—yes, I guess the word is “challenge”—that we're here today speaking on the bill when in fact we should have taken the advice that was given by our leader to sit down, call all the players together and see—maybe the minister is right: Maybe we couldn't get total consensus, but at least we could get to some areas of improvement in the bill where it would serve the purpose better than it does now.

Having been involved in the committee hearings through the first and second reading, I find it very interesting that the things that are happening today and the concerns being expressed today, particularly by employees who are part of the plan, are not the same concerns that were expressed when the bill was at first reading. In fact, the concerns at that time were addressed

by some of the amendments, but instead of making it better, they made it worse.

I guess I'd have to say that the reason I'm not really enthusiastic about standing here today speaking to this bill is because of the actions of the government and their refusal to look at discussing options with all the players to see if we couldn't come to a consensus.

Having taken that position—and I've taken this position all the way through the hearings process, at first reading, at second reading and here in the House—I suppose I should take this opportunity to thank the Premier. In the last two sittings of this House, the Premier made reference to a letter I had written a couple of years ago to the Minister of Finance as the discussions were taking place to revamp the bill concerning the firefighters and their wish to have the OMERS plan changed in order to allow for a negotiated supplementary plan within their plan; in other words, to separate their pension plan on paper, not by a different administration, but as a different entity within the same administration, as the police and fire plan, so they could have different levels of pension and different benefits negotiated with their employers.

The firefighters made a presentation to, I think, many of the members here in the House. They in fact may have made a presentation to you. I have to say they made a good case, and I agreed with them. I sent a letter to the Minister of Finance, the Minister of Municipal Affairs and the Premier of the province, suggesting that I thought the government should be looking at allowing different sections of the OMERS plan to be applied differently to different employees.

The problem that arose, of course—I guess I want to finish that. I do want to thank the Premier for bringing that up. Because of my concern with some of the other sections of Bill 206, there seems to be some question as to whether I still support a better pension plan for the police and fire. I want to say here in public, in this Legislature, that I do think that's a good idea, but not at the expense of the basic OMERS plan that has been in effect for a long time.

Before we get back to the plan, I would just suggest that the government could very well have introduced this in two bills. Then I think we would have had a debate with the employers and the employees as they relate to the emergency service sector about how you would implement supplemental plans, and you also would have had a debate—and I expect it would not have been as contentious a debate—about how you would effectively devolve OMERS from the sponsorship of the provincial government and put it under the control of all the people involved in the plan.

To my mind, there was no need to have put all this together. I think it really relates to, as I mentioned earlier, when I spoke on the presentation of the minister—it's somewhat odd, in my mind, that the whole premise of the bill was based on wanting to devolve the operation and the control of the OMERS pension plan to the employers

and the employees who are affected by it, who are paying into the plan and who stand to benefit from the plan.

If that's the thing to do, the reason for that—and we had a presentation from the OMERS board—was because the OMERS board felt that when there were needs to change the OMERS pension plan for changing the benefits that were received and available and so forth, when that was needed, under the present structure it has to go through the provincial Legislature. It has to be agreed to by—actually, I don't think it has to be legislatively changed. I stand to be corrected there. I think it can be done by an order in council, but it has to go through the provincial government in order to happen.

The OMERS board said that was quite cumbersome and cited an example of a benefit requested to apply to the increased cost of living to beneficiaries of a pension of someone who had passed on. The family left, and their pension was locked in. The board wanted to change the pension plan so that it was more fair to the survivors. It was changed, but it required a long time and a lot longer than it should, while those people in need were waiting for some assistance. That made some sense, but the board thought they would like that to be improved. So this intent was to have that improved.

But the big issue that has been on the table in the discussion between employer and employee has been continually the supplemental plans for police and fire. Again, I think if this is to give autonomous control of the plan for the people who are in it, I would suggest that when you make those changes to the plan, you shouldn't make those changes before you devolve it. If the reason for devolution is to make the changes more fair and more in line with what all the players in the game are asking for, it would seem to make good sense to allow that to happen subsequent to the devolution. I think it would make a lot of sense to me to let the new OMERS sponsoring corporation make the changes. Having said that, I think the emergency workers do have some concern, and it may very well be justified, that it would be very difficult—or it may be difficult; I shouldn't say “would be”—but it could be very difficult in a case where it requires a change over the whole plan and yet you're asking for it to be negotiated within individual bargaining units. Maybe the act should allow a process that would be able to allow that to happen in a more equitable way. I'm not in the position to be able to tell us how it should be done, but I think something like that should have been looked at.

1600

Having said all that, and just in general terms of the problem I see, one other thing I just wanted to mention in the overall picture that seems to be causing the problem that we see there: We have just heard, in the last hour or two, the announcement that one of the bargaining units within the OMERS plan has set a date for when they're going to have a work stoppage to express their discontent. I want to say that I'm totally opposed to that. I don't think that's the way to settle a dispute over a decision, whether we agree or disagree with it. I don't

support that. I guess I really have some concern that a government would let that happen.

When I read the comments in the paper from the people who are suggesting that, they also make some suggestions as to what could have been changed that would have avoided this in the first place. I think that's a fundamental problem that I have with this bill, that, as I look through all—and we're going to go through some of this—the Hansards of the committee hearings and go through the Hansards of the presentations made by the minister and the Hansards of questions answered by the Premier, I find that they have not only mandated the plan for the police and fire, but they have made it more difficult than the original plan for all other people within the OMERS plan to have changes made to their plan. That's not necessarily that they would have the same benefits, but that in fact they could have a different plan than what the basic plan is now. Very simply—and I know, to most watching or to those of us in this Legislature, the numbers don't mean that much—but the accrual benefits on the new supplemental plan would be 2.33%, whereas the legislation caps the other workers at 1.6%, or under federal law that could go up as high as 2%. Now, no one seems to talk about why the government has decided that it is not appropriate to allow those pension benefits to go to that, if it is the wish of both employer and employee. It makes it hard to see why they would do that.

We've heard the Premier say a number of times, I guess to get by the debacle that we've caused here with an illegal strike on the verge of happening and nobody on the government side coming up with any suggestions of what we should do with that, the detriment that's going to cause in our schools and so forth—nobody is doing anything about that. I think we need to look at that and say, “Wait a minute. It's right, but isn't there something we could do to make that happen?” If that is strictly to allow the one bargaining unit or the other employees that are not covered by the supplemental plans, together with their employers, to decide that they are going to have a higher level of pension available, I think it would behoove us all if the Premier would—I think they usually call that “swallow his pride” a little bit and ask all the players to get to the table to see if there isn't a solution we could deal with.

I think, as we go back—and that's where I was going, back to the start of the process—we keep hearing from the government side, “We've heard so many presenters and we made so many amendments.” I was there for most of them, so I'm not going to deny the numbers, but I guess I also would add what the government side doesn't, “We also have created so many more problems than we started with, after all was said and done.”

As we look at the numbers, we see that the presenters weren't evenly split between the people who came in to support the legislation and the people who came in to express their concern about the legislation. In fact, it was overwhelmingly people coming forward to oppose the legislation. You would then suggest that the govern-

ment's amendments would have dealt with those areas that were important to the majority of the presenters.

The main amendment makes the issues that were brought forward by the vast majority of the presenters, one being the cost and the other the ability to administer or to create further pension benefits beyond the ones that are within the bill. Those two items in the new bill are—in fact, it's more difficult to get more supplemental plans. The issue of the supplemental plans, when we were in the original one, required a process within the new board to create supplemental plans. It was there as an ability to do, but it was not a mandate to do. The amendments caused it to be a mandate and, of course, that relates to the presentations from—I can't say for a certainty, but I would suggest that near to 100% of the municipal presenters would have included somewhere in their presentation an issue with the cost of these benefits. We'll get to that later, too.

We have to remember that the primary reason why the municipal governments were objecting was the cost. The primary reason that a large portion of the workers are upset with this final result has to do with cost, but it's primarily not treating all the members in the OMERS plan the same. I used the words "the same"; I think it's rather important, because I think that's the message that's out there. I think there are differences in different occupations of different people, so being the same and being fair are not necessarily the same thing. I think it's important to distinguish that. The concern was with what was being distributed. The message that the government was sending out was in fact that we were going to treat one group, in their minds, better and give them greater ability to get higher pensions than other groups, and that was wrong.

I have here a quote from a letter. It was sent out by the minister. After the first set of hearings, this related to the problems that the municipalities have put forward about the cost of these new pension benefits. The letter was sent out in December. It says, "Bill 206, if passed, will not"—and "not" is highlighted—"impose any new cost or pension benefit on any employer or employee. It will require that the proposed new sponsors corporation set up, within 24 months, a supplemental benefit plan that will include the optional pension benefits outlined in the bill."

I don't know how we could suggest in one sentence that there are no pension benefits in this bill and there is absolutely no cost in this bill, and then say they will have to put this in place within 24 months. Obviously, there is at least, as the minister said, a point of discussion, a difference of opinion, on whether this bill will in fact increase the cost and increase pension benefits for someone.

1610

I would think that when we speak—and the government has, and I'm not disagreeing with them on it, that police and fire deserve extra benefits. If police and fire deserve extra benefits in this bill, then I would say that the wording that there are no extra benefits in this bill is

somewhat erroneous. That's I think what's causing, if nothing else, confusion in the general public as to what is happening with this bill, because it does deal with being able to create supplemental pensions.

To clear up the confusion for a lot of the pensioners who are involved with this bill, we need to do more in getting the message out as to what this bill does. At this point I'm not suggesting that I totally agree with the minister. But if the minister is right in that there is no problem with this bill, he should sit down with each one and explain what this bill does and everyone would then become happy. I think he should do that before we bring it to the House and pass it and then go on with life, and find out that all these folks have not had it explained at all. It was mentioned by someone else that they had CUPE representatives in to see them last Friday. I too had the privilege of having a group in my riding come to our office. I would say that as we spoke to them, there was some misunderstanding about some of the items in the bill that they interpreted differently from the way the government has been interpreting them.

I want to clarify that there was no mistake about it: The union that represents these workers says that it will be ever more difficult for future contracts or future employees to increase and get supplemental benefits. There is no doubt that it will be more difficult after this bill to get supplemental benefits for a CUPE worker than it is today. That's what their concern is as they're bargaining, and the government has said that it's all part of the bargaining process. The supplemental plans are not a given above wage increases. This will be negotiated when we negotiate pay. If that's the case, I think all workers within the OMERS plan want that ability. If it's negotiated, if it's not imposing it on anyone, then why would you restrict it for one and not the other?

The other concern, of course, is the issue that the police and fire supplemental plans are connected to the arbitration system, I guess is the way to do it. If, after negotiations, the two parties, the employer and the employee, cannot come to a conclusion on the settlement of a contract, then it goes to arbitration, and then of course an arbitrator decides what the end result will be.

A lot of employer stakeholders have a concern with that because they believe that if they are, as they appear to be, totally opposed to negotiating supplemental plans for police and firefighters, the arbitrators will, I guess, arbitrarily include that in a settlement. Again, that's not any different from the way the present contracts will be settled as they relate to police and fire. But that would not happen in a CUPE contract, because obviously they don't have the ability to go to arbitration. They have mediation and then they must come to a settlement.

The issue of the cost: I know that the government hasn't done a sufficient job of pointing out the inevitable cost to the plan. It may be a cost that's not justified. It may be a good expenditure of dollars. If we're going to criticize the estimates of the cost that AMO made on the employer side—the employees made estimates that are drastically lower than AMO's numbers. Obviously, one

of them is not right, so I think it behooves the government, which actually put forward this bill, to come up with those figures of what the cost really is.

As recently as yesterday, again we had the opportunity of being at the ROMA/OGRA conference at the hotel uptown. The minister was there, and there were some questions about the cost of the plan. The minister, as he did in the House today, answered the individual at the mike to the extent of "not to worry"—and I'm paraphrasing—"because we have an amendment in the bill that says we can only negotiate one benefit every three years—the first contract and then three years hence and three years hence—before you can get all the benefits." So it's going to take that long to get to the number that AMO was using and that they said it was going to cost to have this plan. If that's the case, I guess that would mean that, at least at the end of the day, that's how much this plan could cost. If that's the case, I think the government has an obligation to come forward with that.

As we go through this bill, I just want to point out each one. If these things could be done, if the government has this information, if we could present it, then that would allay some of the fears that some of the users in the plan have. If this would help allay their fears, I think it would be appropriate that the government does that in order to stop—not to concede to, "If you don't give us this, we'll strike," but if we could negotiate it and if the problem is gone, then it's not a matter of who caused it in the first place. If the information is there and people are satisfied, then I would say I'm glad you finally came to the table and talked about it and got things under control.

On the cost, I just want to go through a few of the presenters I found interesting at the committee. We have a number of them here. Of all the presenters, if they were municipal they were concerned about what the impact was going to be on their budget. Across the board, all the presenters agreed that the cost to the municipal taxpayer and to the people who live in the communities in Ontario could be as much as—somewhere between 2% and 3% of the municipal budget would be affected by these plans. Again, those were the numbers that AMO put forward. The government says that those are not the right numbers, but the government has not put up any different numbers to say that's where it should go.

Dail Levesque, the human resources director for the city of Owen Sound, made a presentation, and this is what he said:

"Our city budget is approximately \$40 million. We get \$16 million from taxes. Our current OMERS costs are about \$875,000 a year. The cost to the city as a result of these proposed changes will rise from \$875,000 to about \$1 million or \$1.2 million. That's a conservative estimate: \$325,000 to \$400,000.

"We have lost \$2 million in the old CRF funding and the new OMPF funding grants. This loss is not uncommon among municipalities our size due to the failure of the province to consider small urban municipalities and our being sandwiched between the rural needs and the

large urban areas.... The province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential repercussions and without sufficient regard to the best interests of employees, retirees, employers, communities and, most importantly, taxpayers, because that's where all of this OMERS money comes from." Then it says, "We respectfully request that the government scrap Bill 206 and go back to what the original OMERS devolution discussions in 2002 entailed; that is, increasing efficiencies in decision-making and streamlining OMERS board appointments."

1620

I think that is really where this is all coming down to. That's the same philosophy that the minister used when he introduced the bill: that we should introduce the bill and that the bill was going to go back to the original premise of 2002 of devolution. I think the minister mentioned the fact that this had been going on for years and that other governments couldn't get it done. In 2002, in fact, was when the discussion was going on about the devolution of OMERS, but it was not achieved. The minister did come to the table with the same principles to do that, but obviously, at least in the city of Owen Sound's position, he didn't achieve that.

On governance, we have Kenneth Todd; he was the director of corporate services with the city of St. Catharines: "With respect to the governance issue, in terms of the city of St. Catharines, we are not concerned about a movement away from the province's control over the plan to a sponsorship committee, but we don't feel that it's appropriate for the province, as it lets go of that responsibility, to place additional restrictions or conditions on that sponsorship committee before it even gets started." Again, that's what I was speaking to earlier. The problem is that we're giving devolution, but we make sure that they have no big decisions to make, because the province wants to make all those big decisions before they're going to pass the plan over and devolve it.

Again, on representation: "I'm sure you're going to hear this from other groups—we feel that the representation is dramatically skewed toward certain groups in the plan. For example, CUPE, which has about 45% of the members in the plan, gets one member. Fire has 4.75% of the members, and they get one member." This is the type of discussion that you need to have if you were just devolving the plan. All the players would be in. To the credit of the government, some of that discussion took place because these people made presentations. The representation has changed somewhat, not sufficiently in the eyes of a lot of people, but the representation on the board has changed somewhat between the readings of the bill because these presentations were made. But the government didn't look at the areas where the greatest need for that was.

That same quote goes on about the 4.75%—that's the firefighters. That means "they have about one tenth of the representation that CUPE has, yet they have one full member at the table. In addition, the police have about

10% of the members in the plan and they get one representative as well. The non-union groups, which many small municipalities across the province have, represent about 20% of members in the plan, yet they get no representation other than the possibility of somebody representing them through the three at-large members." Again, this is the type of discussion that should take place to make sure, as we devolve the plan, that we get these things right. That's the way it was supposed to go.

Here's a quote from Mr. Clarence Ziemann. He's the warden of Hastings county and mayor of Deseronto. "My colleagues and I of Hastings county continue to have a very serious concern about this bill. We also share the view that the Eastern Ontario Wardens' Caucus and AMO hold on Bill 206. Let me be clear: We do not support this bill....

"First and foremost, the property taxpayers we represent in Hastings county cannot and should not bear the financial burdens this bill will impose upon them. There is nothing in it for them except new costs to be borne. It should be no surprise to any members of the standing committee that our property taxpayers are increasingly voicing their concerns about how much more they can pay to support local services. We hear it week in and week out at our council meetings. Our taxpayers understand that their contributions fund services like roads and bridges, garbage collection and recreational programs. I believe they are also beginning to understand the significant amounts of property taxes that are subsidizing provincial programs like social services, ambulance and disability programs. That subsidy now stands at \$3.2 billion annually," according to AMO.

This goes on. It's all about their frustration with the inability to control their expenses. They see this OMERS devolution as another impediment when it comes to budget time, when it comes to contract time, to their ability to function as they should because of the mandated things they must do.

Another one was brought up by the third party at the committee hearings concerning the voting pattern. We may get to that a little later in the presentation, but it requires a two-thirds vote. If the two-thirds vote fails, we can have another vote, and if half of it passes, if it gets 50%, then it goes to a mediator. If the mediator has a decision, it goes back. If it can pass by a two-thirds vote, then it stays, and if it can't get a two-thirds vote, then for a 50% vote—I'm not sure how many times we go through that, but when we get to it, I'll have it written down so I'll be able to follow it very closely.

One of the things the third party suggested was that we should have a look at the Ontario Secondary School Teachers' Federation, at the teachers' pension plan. We had a presentation from the Ontario Secondary School Teachers' Federation. I suppose that in general terms one would make an assumption on a bill like this, where we have a labour-management debate going on, as the bill was introduced as a devolution bill—I would suggest that that would have been the two sides of the debate. I don't think it's unreasonable to then assume that the secondary

school teachers' federation would likely have made a presentation in support of the workers' side of the bill.

This doesn't actually go there:

"Some of the optimism that we felt is gone. The amendments that have been made to this bill do nothing to address the concerns we brought forward with the details of joint trusteeship. In fact, amendments have, we believe, absolutely undermined the concept of shared ownership and decision-making on the plan's benefits and contributions. Employee plan members will not have an equal say in determining their pension plan with the proposed two-thirds majority vote.... We would conclude that perhaps the best end result of this is that the government itself take over the employer side of the partnership and deal directly with the employee representatives. If the government is going to put forward what we believe is a flawed governance model, then frankly, we believe it would be better for the government to take more direct responsibility."

We have the teachers' federation coming in and saying, "We've looked at what you introduced. We've looked at how you amended it, and, folks, it isn't salvageable. You should go back. If you can't do better than this, you should just leave it alone." I think that's kind of a shame.

I have another quote, and this is another one that's very interesting, because as I said, I'm supportive of it, but the police and fire supplementary plans have been the major part of our discussions at committee and here in this House. We had a presentation from the Police Retirees of Ontario Inc. I have a one-liner on that. I find it rather interesting. "Bill 206 is cumbersome and unworkable and will create more problems than it is intended to resolve." I think that's quite an indictment by the retired police services who have got to the pension plan.

We see that it's not all one-sided, even in the objections. We have a lot of people on the receiving side of the pension plan who have grave concerns that are as plentiful as those who are on the management side.

The Canadian Auto Workers: "We're very concerned, of course, with Bill 206 and the revisions that were made to it. We believe that this revised bill is actually worse than the first one, and we also believe that our members are worse off under this bill than compared to the status quo arrangement." We have the auto workers coming in and saying, "If this is the best you can do, don't do it." That's plain and simple.

This is the side of the bill that, when it was introduced, was considered a housekeeping bill, with amending and putting a lot of time in—I was going to say "putting a lot of effort in." Everybody is coming in and saying, "We presented last time. We made some recommendations. Now let's see what you've done," and the answer is, it is worse than it was before.

1630

I have another one here that I find interesting. It was from the city of Mississauga, the mayor. The name will come to me in a few moments, but—

Interjection: Hazel McCallion.

Mr. Hardeman: Oh, that's right. Hazel McCallion was in and made a presentation on behalf of the city. She said, "I'm not sure I'm pleased to be here today. I thought maybe the last time we were here we might have done some good, but when I read the changes that were made, it went from bad from worse, so it forced me to come back because of the grave concern."

Now we've got the labour side and we've got the management side coming in and saying, "I didn't want to have to come back. I thought I gave you all the advice I could. But it was so bad, I decided I had to come back again and see if I couldn't convince you to do it."

Now, this one is the other side. Again, I don't condone or support the approach that we're using but, at the same time, this was the presentation made by Mr. Sid Ryan:

"My name is Sid Ryan. I'm the president of CUPE Ontario....

"Let me begin my remarks by saying that I guess it's only the Liberals in Ontario who could put Hazel McCallion and Sid Ryan on the same page when it comes to the radical surgery that's required with this legislation. Clearly, you've strayed far away from the indications that at least the Premier gave to me when he first got elected, that he wanted to get both parties to sit down and negotiate what a pension plan governance model would look like."

After attempting to get the Liberal McGuintry government to talk to them, "... we find ourselves being invited to a press conference held by all the people"—Hazel McCallion and Sid Ryan.

I think that really says it. I wasn't there to know whether the Premier promised to have negotiations with them prior to this, but obviously if the players that are so opposed to this piece of legislation now believe that that would be helpful, to get to the table and have some discussions, and think that there is some way of meeting some of the irreconcilable differences, I think we should do that.

I have a quote here from Mayor McCallion at the press conference they held. It went so far that Sid Ryan and Hazel McCallion did hold a joint press conference.

"Mississauga Mayor Hazel McCallion criticized a provincial bill that would reward Toronto's police officers and firefighters"—and I'm not sure why it's just Toronto—"with a better retirement package than other government workers covered under the Ontario municipal employees retirement system....

"She said the plan will force cities to raise property taxes by up to 3% to cover the costs.

"I beg the Premier to do his homework on it because, if it goes through the way that it is planned, I can assure you it will be a property tax increase.... We have done the calculations."

Again, I'm not suggesting that the calculations that all the deputants were talking about are accurate. I don't know how many times I asked for the government's projections, and I'm sure they wouldn't make a major pension bill change like this to one of the biggest pension plans in the province of Ontario without doing some

calculations as to the financial impact. I understand we have put in a request under freedom of information to get the numbers, but so far we have been unable to get the government to turn over the numbers that they would have received when they decided to proceed with this bill.

I also want to say that our leader, John Tory, has asked this government day after day to come back to the table. Again, I think, along with all the players within the bill, those members on this side of the House believe that we should do all we can to negotiate an equitable pension plan to replace the present OMERS structure. If that requires taking a little longer, if that requires saying, "Let's hold off and see if we can't get more of the issues dealt with," then I think that's what should be done. John wrote to the official opposition just to keep them talking.

I had the opportunity to be on a panel last Friday night. My good friend Mr. Duguid, the parliamentary assistant, was there with me. When asked about holding it up—or slowing it down, I suppose is the right word—but having some discussions with all the players, the parliamentary assistant said, "Well, it's too late for that, because it's in third reading. You can't make any changes in third reading because that's how the House process works." I don't purport to be an expert on process here, but I was told not too long after I arrived that when you have unanimous consent, you can do anything in this place that this House wants to do. I'm sure, if the Premier could get the parties together and come up with some changes that would avoid the work stoppage that's going to dramatically negatively impact the population of this province, if we can do anything to stop that from happening by getting the people together and negotiating something different than what's on the table, I'm sure that there would not be much opposition to that from anyone in the House. I don't think anyone wants whatever the solution is to be achieved by causing this much hassle in our society. I'm sure that that could be arranged.

The problem is, the Premier, when questioned about it, keeps insisting that we have reached the negotiated settlement. This is as close to a negotiated deal as he believes his government can achieve. I'm here to say that if this was a negotiation without the ability to arbitrate, this is not where this process would stop. I don't think in any negotiation process you would stop the negotiation and say, "This is as far as we're going," if at that point neither side would say it that way, neither side suggesting that proceeding with the bill the way it is is better than doing absolutely nothing at all. I think this really is the wrong way to go.

To go back, as I said I was going to do, when the committee hearings started, the Minister of Municipal Affairs came in to present to us what the intent of the bill was and what he hoped to accomplish with the bill. The cause was noble, but the results were dismal. Anyway, I just thought I would go over that, and he makes supportive remarks for the staff that were with him. It says, "On June 1, I introduced for first reading Bill 206,

An Act to revise the Ontario Municipal Employees Retirement System Act. It's my pleasure to now bring this bill to this committee. If passed, our legislation will enable OMERS stakeholders to determine for themselves what is best for their future."

I think on that part my problem is where it says, "It will enable OMERS stakeholders to determine for themselves what is best for their future." If that's right, then I can't understand why the majority of the debate is about changing the plan to affect the people in the plan. There is absolutely no connection with the provincial government—no cost, no liability, no benefit. There is nothing for the provincial government in the change that we're talking about here. In the devolution, there may be; I'm now talking about the supplemental plans. This is an issue that is, in its entirety, there for the purpose of the stakeholders in the plan: employer, employee, and the different types of employees. In my mind, if the intent was to let the stakeholders in the plan—which the province is not—make the decision for themselves what is best for their future, then this bill doesn't do that. I would suggest that that should have been one of the first amendments: to make sure that nothing was going to happen because of the devolution; that in fact we provide in the devolution the ability of the stakeholders of the plan to make the changes that they deem appropriate. Having said that, those changes may very well be the same changes that the province is now making, but I don't believe they should be making them if their intent is to allow the plan participants to do it.

1640

This is kind of a history lesson, I suppose: "OMERS was established in 1962 as the pension plan for employees of local governments in Ontario. Today, OMERS is the pension plan for about 355,000 current and former employees. They are from a diverse range of about 900 employers, which include municipal governments, school boards, police service boards, children's aid societies and other local agencies throughout Ontario. The plan members are represented by about 50 different unions." OMERS manages approximately \$39 billion in assets. This points out the magnitude of the plan and the impact that a mistake is going to have on the future of the people in the plan.

Then he says, "At this time, I'd like to share with you the government's intentions regarding the bill and the legislative process that we're currently engaged in." Then he speaks about how this bill, if passed, "will devolve governance responsibilities from the province and, instead, place responsibility for the plan with those who pay for it, who pay into it and who benefit from it. We believe that devolving the responsibility of OMERS governance will place greater authority in the hands of the contributors." Going back to that statement, the total purpose of this plan was to devolve the operation of the plan so the people who own it make the decisions about it.

It goes on: "Over the last two years, our government has built a new relationship with our municipal partners,

one that acknowledges their expertise and fosters municipal autonomy. This bill is another example of how we are providing municipalities, along with other members of the municipal sector, an opportunity to make their own decisions in areas that impact them." Again, we heard from Hazel McCallion and all the municipal people. We heard from labour and the CUPE folks, and that's what they're saying: "We want to be able to make the decisions, which the minister said this bill was going to do. Allow us to make the decisions as they impact our lives and our pensions."

The last line of that paragraph says: "In response to requests over the years by stakeholders, this bill, if passed, will give the members control over their own plan." But the municipalities tell us that the plan they'll be given is going to be, in their opinion, an uncontrollable plan that they have to deal with.

Then we get to the next paragraph, and I guess we get to the part where we keep our promises. That's why I think it is rather an important section, because it's not necessarily a common thing from the government that we can have a bill where we are actually keeping a promise. "This bill also addresses a commitment made by Premier McGuinty, while Leader of the Opposition, in response to that report, and addresses several issues that remain outstanding in the report." Again, this deals with the supplementary plans, and I commend the minister for dealing with that. Again, a promise made, a promise kept.

But in this paragraph, he does refer again to the 2.33% accrual rate cap. The reason I mention that one is because nowhere in here does he talk about, as an intent of the plan, capping the rest of the plan at a lower rate. When I say "lower rate," I'm not suggesting that all the rates have to be the same, but why would we have one that is going up, as mentioned in his presentation, and then, as we review the bill at committee, we find that they are actually locking in the other pensions at a lower rate than the federal government suggests should be the cap?

As we go through the bill—I don't want to go through the whole Hansard, but there's a paragraph here: "At this time, I would like to summarize some of the key events that have taken place between the time the legislation was introduced and these hearings. Ministry staff conducted technical briefings for stakeholders so that they would have a clear understanding of the draft bill and would have time to productively discuss this issue within their respective organizations." I don't know whether it's a play on words, but my problem with that is the part—incidentally, the ministry did a good job in explaining to us at committee. The minister's staff conducted technical briefings for stakeholders, so it would seem to me that he's suggesting that he already had the bill written before he talked to the stakeholders. Then he went around and had technical briefings to tell the stakeholders what he was going to do.

Of course, in my vision, that's not the way you go out and consult to find out what the stakeholders think is the appropriate thing to do. You gather that, you put together a piece of draft legislation and then you review it with

them. I suppose that's why we generally do not have public hearings after first reading; we generally have public hearings after second reading. The minister decided we needed them after first reading. I suspect it's because of that section that he had to have them after first reading, because when they did the technical briefings, they immediately found out that the stakeholders, the people who were going to get this plan devolved to them and the people who were going to create the new plan, didn't like it and didn't believe that what was being proposed was the right thing to do.

Then the minister says, "What is quite clear is that various OMERS stakeholders have different views on many matters relating to the bill. We are pleased that these hearings are being held, and that there will be an opportunity for full input. We expect and encourage debate on this legislation."

Again, that's a good idea. I support that. I also thank you, Mr. Speaker, for allowing me to be part of the debate as we debate this bill this afternoon.

The problem is that having public hearings is not just about allowing people to speak; it's about listening to people and then trying to accommodate as many of those requests as is appropriate in order to still accomplish the goals the minister has sent in. I believe that if the minister had taken the time and reviewed all the presentations and made all those changes they were asking for, even if he left out the ones that were going to negatively impact others, we would have had a much better bill.

In the few moments I have left, I want to say that the one area that really struck me as strange as we went through it—and, as we mentioned earlier, the New Democratic Party put forward a number of amendments to change this—had to do with the part that requires the ability of other participants in the plan to have supplemental plans, and the need of the voting, the two-thirds majority. Municipalities said that if you have supplemental plan abilities, you should have at least a two-thirds vote, or unanimity. CUPE said it should never be more than 50% plus one. At that point, the police and fire also said it should never be more than 50% plus one. When they were looking at the amendments, they decided to go with the two-thirds vote, but that would create a problem with the supplemental plans. They were all in agreement that they were going to be in the plan, so we mandated them. So they are there now. They do not require any vote.

What's interesting is that the municipalities looked at those amendments and said, "If we don't have the ability to have the two-thirds vote on the mentioned supplementary plans, the two-thirds vote on the rest is somewhat irrelevant." They never expressed a concern that they needed more than 50% plus one to deal with supplemental plans in the rest of the plan. It was only in the area where they were arbitrable that they wanted that two-thirds vote. In fact, the change could quite easily have been made back to the 50% plus one and made a lot of other people within the plan more content with the way the plan was written. But that was not done. I think

that's the problem I have when the minister speaks about the intent to devolve the plan over to the people who can manage and control it. After we heard from the public, there were areas where that could have been done to accommodate what he heard. The minister came to the conclusion, "No. We have a plan and we have already made 100 amendments. We're not going to make any more. We're going to fly by the seat of our pants and we're going to implement the plan the way it's written." I think it's wrong, and I think they should do as John Tory told them: "Hold more meetings to see if we can get a consensus on this. Don't pass it until such time that that's done."

Thank you very much, Mr. Speaker. You haven't noticed, but I noticed my time's up.

1650

The Acting Speaker: I regret to say that I noticed it as well. It's time for questions and comments.

Ms. Horwath: I just want to say how impressed I was with the hour's speech by the member for—what's your riding again?

Mr. Hardeman: Oxford.

Ms. Horwath: The Oxford riding, the number one riding. There you go.

I think it was very instructive in that we finally got some understanding from a member in this Legislature on what the real issues are around Bill 206, because the minister would have us believe that all of this concern out there in the community is for naught, that in fact there's no problem at all with Bill 206, that it's a wonderful bill. Anybody just needs to take a little bit of time to look through the Hansards and they'll find that the vast majority of presenters at committee in both hearing processes didn't think that everything was fine and wonderful with Bill 206. I have to say that the member from Oxford spent a considerable time in his speech trying to outline where the fault lines lie, if you will, in this legislation. I'm looking forward to spending some time discussing that as well.

I think it's ultimately a poor reflection on the minister and the government that they're prepared to bring this seriously flawed legislation forward, particularly when, through tonight's debate and the debate over the next couple of days, we're all going to find out how quite easy it would have been to fix this legislation or at least make it palatable for the people who are very concerned about their pension plan. Let's face it: Pensions are extremely important to people. Pensions are viscerally important to people when it comes to their ability to retire in dignity and with a decent quality of life. That's why everybody in this chamber, I'm sure, supports the efforts that have been made by a group of employees, particularly police and fire. We want to see the same thing for other workers.

Mr. Bob Delaney (Mississauga West): I'm amused to hear my colleague from Oxford discuss my city of Mississauga and to make an inference that Bill 206 would affect my neighbours as taxpayers in the city of Mississauga. Mississauga is just one of 382 employer

municipalities, with a total of nearly 107,000 active members among them. In total, more than 360,000 active and retired workers rely on the Ontario municipal employees retirement system—OMERS—for their pension.

Like the government in which I serve, I too have consulted on this bill. I've spoken to our city manager—our mayor is now in Asia on a trade mission—and done my best to grasp the key issues that most concern my city of Mississauga. The city was worried that the passage of this bill would, if all eligible bargaining units negotiated the maximum pension benefits immediately, trigger an increase in taxes of up to 3% without putting one extra firefighter or police officer on the street. It won't and can't happen. No changes will be made for at least two years, and only one class of supplementary benefits can be negotiated in each round of collective bargaining. In plain English, that ensures that municipalities and the bargaining units representing police and firefighters will spread any terms on which they may agree over a span of more than 10 years.

Some of our municipal employees have been told that their pension contributions will cross-subsidize supplementary benefits to police and firefighters. This is simply not true. The language in the bill made this clear, and some of the opposition amendments were adopted just to ensure that this cannot and will not happen.

I wish I had a little bit more time on this. One of my mayor's favourite phrases is "to do your homework." Three extensive rounds of committee consultation have done this homework and now give these members in this Legislature a chance to make an informed decision.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): When I came to the Legislature today, I thought we were going to be debating the Takhar motion that we have been debating for the last number of days. As everyone knows, that's the minister who was found by the Integrity Commissioner to be intentionally breaching the integrity act through his conduct, and he was reprimanded by the Integrity Commissioner. As we know, this is all about accountability, integrity in terms of a government, in terms of how they conduct themselves with respect to a minister.

Mr. Delaney: On a point of order, Mr. Speaker: Pursuant to standing order 23(b), the member's response doesn't have anything to do with either the bill or the comment.

The Acting Speaker: I would ask the member for Barrie-Simcoe-Bradford to continue with his two-minute—

Interjection.

The Acting Speaker: Would the member for Barrie-Simcoe-Bradford please take his seat? Thank you.

I would ask the member for Barrie-Simcoe-Bradford to respond to the presentation that was given to the House by the member for Oxford.

Mr. Tascona: Thank you, Mr. Speaker. I'm trying to get there, if you'll permit me.

In the Barrie Examiner today, there was an editorial with respect to Bill 206. I'll read it: "There have been

two rounds of hearings and amendments have been made" to this bill. As everybody knows, they've been altering it altogether. "Joe Tascona, the Conservative MPP for Barrie-Simcoe-Bradford, says more than 100 changes have been made. He has rightly asked what's left of the original bill with that many alterations.

"None of which explains why McGuinty is refusing to budge on Bill 206. Tascona says the Premier is all but daring Ryan and CUPE to stage a wildcat strike. When asked last week what he would do should CUPE strike right across" the province, "McGuinty basically replied that it was a problem for municipal governments because their services would be affected.

"Perhaps McGuinty's position is that if Bill 206 is changed again, it might as well be scrapped. The whole process would have to begin again. Maybe the Liberals are unwilling to give CUPE"—

The Acting Speaker: Thank you very much. We have time for one last question or comment. I recognize the member for Niagara Centre.

Mr. Peter Kormos (Niagara Centre): Very briefly, because I only have two minutes, I want to commend the member for Oxford for his insightful address and his hard work on this bill. All of us are looking forward to Andrea Horwath, the member for Hamilton East, who's going to be doing the lead for the NDP. Ms. Horwath has worked tremendously hard with this bill. On behalf of New Democrats, she presented just about 90 amendments. Three were passed by the government. We find it unfortunate, we find it regrettable that the government wasn't a little more accommodating of opposition members' views, who worked incredibly hard. Ms. Horwath worked incredibly hard in committee to attempt to resolve some of the conflict, not to fuel it.

I'm not afraid of the debate—I'm not afraid of the debate at all—but the government clearly is, because I've just been served with a notice of motion indicating that the government is going to use its majority to shut down the debate on Bill 206. I understand that there are differences of opinion, and I respect those who have an opinion contrary to the NDP's position in this matter. I respect them very much. But I say to you that for as contentious a matter as this, where there are clearly different perspectives that deserve to be heard, for this government to somehow talk about process—remember, as the Premier did earlier today—and then to deny due process by way of a time allocation motion after but one afternoon of third reading debate is shameful and does not serve this assembly well. I frankly am embarrassed today at a time allocation motion after but one day of third reading debate on a very contentious matter.

1700

The Acting Speaker: The member for Oxford has two minutes to reply.

Mr. Hardeman: I'd like to thank the member from Hamilton East not only for her kind comments but for her hard work during the committee. We had quite a challenge to deal with the government's amendment after amendment after amendment, and most of the amend-

ments they had great difficulty explaining or even explaining why they were there.

I'd also like to thank the members for Mississauga West, Barrie-Simcoe-Bradford and Niagara Centre.

I want to tell the member for Mississauga West that in fact I didn't talk about his city; I quoted the mayor of his city, who came and spoke very eloquently and passionately about what negative impact this bill was going to have on your community, and your taxes too. She was concerned about everyone's taxes in the city. Again, I'm not suggesting that all their numbers are right. I am still concerned about why it is that the government has not been able to come up with or produce the numbers that show why they think this is a good bill.

I just want to speak quickly to the comments by the member for Niagara Centre. I was unaware, when someone in the government has been talking about process and telling us that we should all follow the process, that they would move to halt debate after one day of debate in the Legislature. I don't think the Speaker would condone that as sufficient to cut off debate, so I'm sure, if that motion had been introduced, the Speaker would rule that out of order and give the people of Ontario an opportunity to hear about what this bill is going to do to their lifestyle.

The Acting Speaker: Further debate on Bill 206? I'm pleased to recognize the member for Hamilton East.

Ms. Horwath: I was trying to find the adjective that was going to describe my feeling in getting up this afternoon to debate this bill. "Disappointment" came to mind, "concern," a number of different things. But now it's leaning more towards a sense of disgust and frustration that the government would bring a time allocation motion on this bill.

I know we are not debating that time allocation right now, but in effect, what that does is shut down the debate. So here is the government that, notwithstanding all of the flaws in this bill, refuses to make the changes that are going to make a significant impact on the frustration and anger of some of the workers in this province, but instead decides that they are going to even push a little further and shut down debate on the bill. I have to say it's almost unthinkable.

We've worked extremely hard; many people have, on all sides of the debate. Whether it was ourselves or the opposition, whether it was in fact the government or the presenters who came and made deputations to committee not just once, back in December, but a second round again in January, real efforts were being made to put language and clauses forward to try to make the bill better and make the vast majority of stakeholders in this plan accept it. But unfortunately, here we are with the government today bringing forward third reading and setting the stage for potential massive labour unrest in Ontario. It is extremely poor form by the government that within that context they are now bringing a time allocation on this bill.

Unfortunately, my belief is that the position we are in right now is the direct result of the government, and I say that because I've been through the process they keep

bragging about: "We've had such a great process." Well, you know what? The process doesn't work if you are not sitting at a table, willing to make the decisions. If you are sitting there wanting to just dig in and ignore the pieces of information that people are bringing forward that could break up some of the logjams, that's a different thing. That is a valuable process. Unfortunately, the government didn't do that, and so here we are in the situation that we are today. Instead of working with the stakeholders to bring in legislation that would have been acceptable to all or a vast majority particularly of member stakeholders, they decided to bring in a flawed bill that is doing the opposite and is dividing stakeholders. It's a confrontational approach that the government has chosen, and, yes, they have chosen a confrontational approach instead of trying to reduce the tension. Unfortunately, they haven't seen fit to take that sober second thought, to take that step back and do the responsible thing, which is to amend the bill.

Now we are finding out that they are taking it even a step further. They are going to hide the flaws in the bill by not allowing them to have the light of the debate of this Legislature shone on them. That is completely inappropriate and completely opposite to what this government promised the residents of this province when they ran for election. They said, "Transparency," they said, "Openness," and we're getting exactly the opposite in this province. It's a darned frustrating day to stand here on an issue that is so important and see the government so smugly put this time allocation motion forward in regard to the bill. They should be ashamed of themselves, in my opinion. Having said that, I am going to take my 56 minutes and four seconds that I have left to talk about some of the substantive issues in this bill, because I think it's important that people understand that there are significant problems to the bill—and that there are significant solutions that could have easily been implemented to fix the problems that are here.

I want to start by reiterating the position that we have had as New Democrats from day one. It's interesting, because it's that same piece that the government keeps waving around as saying, "Nobody would be opposed to this particular piece of legislation. We all recognize that this is an important thing to do." And I can say that we all do recognize that it's an important thing to do, and of course I speak to the issues of supplemental agreements for police and firefighters. That's certainly something we've always supported. In fact, a couple of times during the discussion, during the debate, during the presentations at committee, I spent some time trying to flesh out some of the concerns that were raised by municipalities—having come from that sector myself in my previous elected time, before being elected here—trying to flesh out the fears being raised by municipalities around the costing of the supplemental plans and trying to ensure that the issues were put flatly on the record around the checks and balances, if you will, of the negotiation process, of the preparation of the compensation demand by workers, police or firefighters and how

that might mitigate cost impacts of supplemental plans. All of these issues I brought forward to the table. I did so proudly and I did so in the spirit of the fact that of course the supplementals are something that everyone always agreed on.

And the sad thing about this—and I raised this the last time the bill was debated—is that the vast majority of worker stakeholders in this legislation were all in agreement early on in the process, were all kind of talking about some of the same principles and recognizing that sticking together on the bill and certainly acknowledging there were tensions—absolutely—not being naive about that, but acknowledging that at the end of the day, if we ended up with a devolved pension plan that would meet the needs of all the different worker stakeholders particularly, they could support each other in that process. It's really unfortunate that through a lack of leadership of this government we've ended up at the end of the day in an extremely divisive situation.

I want to say that not only did we hear from the leadership of the firefighters and the police, but we also heard from the leadership of many, many other unions. I have to say that not once did any of the other unions in any way indicate a lack of support for the principle of supplemental plans at all. The problem came when there was a clear indication that the government wasn't prepared to enable, allow for, accommodate opportunities for all of the other workers to be able to obtain either supplemental plans and/or eventual—eventual, not right away—improvements to the benefits in their pension plan. So that's where the rub started to come. That's where this government decided very clearly that they were going to hive off certain workers and treat them differently than other workers, and that's where the tension started to build. I'm going to talk a little bit later and bring quotes specifically from the hearings and from the clause-by-clause debate that clearly set out and clearly put on the record the red flags to indicate to government members—and you should do your homework, as Mr. Delaney was saying, and look at some of those Hansards, because you will see them clearly. I'm going to talk about them again tonight, but you'll see quite clearly where we've put on the record through this process where the red flags are and, on top of that, the actual amendments that would fix those problems. So when I say that the government had an opportunity here to do the things that needed to be done to make sure we did not end up in the very tense situation we're in now, I say it from a position of authority, because in fact I was the person who was bringing those opportunities forward to the government and they unfortunately decided to ignore the opportunities.

1710

I want to put on the record an important piece that the government keeps kind of sliding over—and again it goes to emergency workers. The government keeps claiming that they've actually done the right thing by paramedics. Well, they haven't done the right thing by paramedics. In fact, I have a number of e-mails and

letters that have come from paramedics and I'm going to take the opportunity right now to read them out. What paramedics wanted in terms of equal treatment with other emergency workers in the bill was the ability to retire at age 60. They wanted NRA 60 built into the bill, and the government decided they were not going to do that. So paramedics, needless to say, are not happy. They're not happy because, again, the government is using paramedics and saying, "We've done this great thing for paramedics," but paramedics are saying, "No you haven't. You haven't done what we needed you to do to make sure that we can get to an NRA 60." I think it's important to clear that up, because this is another one of those subtle things that the government is partaking in doublespeak on, in my opinion, talking about how they've done something that they haven't done, or at least they haven't gone to the extent that they had promised and/or that they're trying to lead the public to believe they're doing.

This first one was an e-mail that I received on February 10. I have another one that I received on February 9, and another one on February 9, and then there's also some research from the research office of the Legislative Assembly that I wanted to refer to in this regard. I don't think an hour is going to be long enough, Mr. Speaker, when I look at the clock.

It says clearly, "Bill 206 excludes paramedics in the NRA 60 (normal retirement age 60) and also supplemental benefits. NRA 60 and the supplemental benefits apply only to police and fire sectors." This is by a particular gentleman named Kyle Wilkinson. Kyle is concerned. He is with primary care paramedics and he is quite concerned. I'm going to quote what he says: "Paramedics have long been the 'ugly stepchild' of the police and fire services. Bill 206 carries on this tradition. Your government"—here is the advice—"needs to slow down and take a long, hard look at this bill and how it affects paramedics. Mr. McGuinty has been quoted by media outlets stating paramedics are included in Bill 206. However, when reading over the bill, I see paramedics mentioned nowhere, just police and fire. Paramedics must be included in Bill 206."

Again, there are several others. This one says, "The fundamental issue is that although paramedics are named as PSOs, we will never see the NRA 60 and be eligible under" it, "as we are not specifically named in the enabling portion of the legislation that is being coined as the sweetheart deal" etc.

"Paramedics have successfully lobbied the federal government to obtain public safety occupation designation"—PSO—"which Bill 206 recognizes, yet they are not given the same courtesy and privileges as their emergency service counterparts, the fire and police sectors."

There's documentation upon documentation. I hope the members here are going to be able to face down their paramedics when they go back to their communities and try to say, "We did take care of paramedics," and lo and behold, you'll get an ugly shock when you get back to

your community and your paramedics are sorely ticked off because in fact you didn't.

This is a document from February 1 from the research office that outlines basically the confirmation that in fact the paramedics weren't taken care of the way everyone is being told they had been taken care of in this bill. That is the paramedic issue.

There is another issue that came up that I thought would be really important to raise in this Legislature. I raised it, actually, in the last reading. The government tried to fix it this time around, and they didn't really fix it very successfully. That is the introduction of the concept of defined contribution plans into the OMERS system. It is a sad day in the province of Ontario that the government, through its own fumbling of this legislation, almost made the entire plan eligible to become a defined contribution plan, as opposed to a defined benefit plan. But luckily they recognized the error of their ways, and I put up the red flag in committee in the first go-around of clause-by-clause. But the problem became, once they decided that they were going to take out the requirement for a defined-benefit pension plan—they've already put the motion. So this time around, they couldn't put it back in because they had already tried to do so when they realized they fumbled it the last time.

The long and the short of it is that we almost ended up with an OMERS pension plan that was a defined benefit plan that didn't guarantee workers that at the end of the day they would be able to have a defined benefit, defined wages, defined benefits that they could rely on in retirement. What happened instead was that the government had to introduce a clause that basically opens up any of the supplemental plans to becoming defined contribution plans, or any other initiative that the sponsors corporation might come up with in terms of new models of offering products to the members in a defined contribution scenario.

I'm not going to belabour the point, but defined contribution plans are not secure plans for the workers. At the end of the day, your wages are put into the market, and if the market performs well and your contributions happen to be invested in an appropriate way, then you'll be all right. But that's not a guarantee, and if markets go sour or if markets crash or if your investments are not dealt with properly, at the end of the day, without a defined benefit, you end up with whatever the heck your money happened to be able to earn you over the time you've been investing in your working life, and that's simply not good enough.

Unfortunately, that's the model many employers are pushing for in this day and age, but it's certainly not the model that's going to make sure workers can retire in this province with a decent pension, a decent standard of living and a decent quality of life. So with the government's fumbling of this bill, they've introduced the concept of defined contribution. It's a sad day in this province that that's the case, that our government, the government of Ontario, the Liberal government, is supporting defined

contribution plans in the public pension system. It's simply unbelievable that that would happen.

There are a number of other issues I want to get to in regard to this plan. The next one is the issue of, why the divide? Why is it that at the beginning of the process many of the worker-stakeholders were on the same side, working from the same premise, understanding the issues in the same way, but now have ended up divided? They now have ended up not working from the same page, half of them not pleased with what the government is doing and the other half very pleased. It's simply because the government made some choices to not be fair in the way they treated different groups of workers.

I have to say that the government did that purposely and obviously when we got to the second go-round with public hearings, when the government came back with its amended bill and then started bringing in its new amendments. I wanted to raise that issue. It was raised briefly by the previous speaker. If you look through Bill 206, you will see pages upon pages of struck-out language, just tons of struck-out language. Unfortunately, when the government put language back into the bill at the last go-round in committee, they did so in a way that was completely unacceptable to the stakeholders. Stakeholder after stakeholder came back to the second set of committee hearings totally in shock, saying, "Oh, my gosh, you've botched it even more. You've made more of a mess this time than the last time." In fact, many stakeholders said, "Gee, we would rather have the bill in its initial form," rather than the mess they brought forward in the second time around.

So I have to say that the issues that were brought forward were not listened to in any upfront way by the government, and as a result, we have this bill that is simply unsupportable for vast numbers of workers in Ontario.

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I mentioned a couple of things around defined contribution versus defined benefit. There are many references in Hansard to that discussion. I think it's really clear that not only do workers generally disagree with that particular thrust, but I did ask the Police Retirees of Ontario because of course they are now in the position where supplemental plans—not for current retirees but for current officers—are being considered in this bill.

There is a person named Syd Brown who participated in the committee hearings. On the defined contribution issue I had asked, "I'm going to ask about some general issues...."—because the brief they presented wasn't specific to the clause-by-clause—"I want to ask about your position on the move to remove the defined benefit requirements of the future pension plan." Mr. Brown said, "We're opposed to defined benefits, absolutely." So I said, "You're opposed to defined contribution or defined benefit? 'Defined contribution.'"

So Mr. Brown, from the Police Retirees of Ontario, was in solidarity with all of the other union representatives, all of the other worker representatives on the issue of defined contributions. But for some reason the

government, in its wisdom or lack thereof, decided that defined contributions were the way to go in this pension plan.

Again in the debate on February 1 I raised the issue of defined contribution. What I said is this: "I'm a little bit frustrated, because the position we're now in is really untenable; that is, the government is bringing forward this motion which, because of its own fumbling of the ball the first time around, has now led to the thin edge of the wedge being provided in the OMERS pension plan. It's disheartening that they didn't have their t's crossed and their i's dotted to be able to recognize that this second-best motion here is completely unacceptable," the second-best motion being the motion that they tried to put forward—had to put forward—in order to fix their mistake of the previous clause-by-clause process.

What kind of slipshod process is that, that the government doesn't even know what it's doing, accidentally gets rid of a defined benefit pension plan, accidentally introduces defined contributions, and now we're all stuck with what that's going to mean in Ontario, what that signals in Ontario?

But it wasn't only the police retirees and myself who raised the issue of defined contribution. In fact, the International Brotherhood of Electrical Workers also made a presentation on this bill and they also raised the prospect of defined contribution plans, indicating that that was absolutely the wrong way to go for this government, that it was irresponsible for the government to be introducing defined contribution plans into the OMERS system. Unfortunately, I didn't have my highlighter with me when I found the quote originally. Okay, here it is:

"OMERS must be put on a level playing field with other major public sector pension plans in Ontario. To this end, the IBEW is respectfully requesting reconsideration for the sections of Bill 206 dealing with defined benefits, supplemental plans, the CPP offset, start-up funding and transitional matters.

"Let me begin with defined benefits. In the original draft, section 9 of Bill 206 read, 'Every OMERS pension plan must be a defined benefit plan.' To our surprise and disappointment, this section has been removed. For many of our members, defined benefits define OMERS. Since its inception more than 40 years ago, OMERS has been a defined benefit plan and, simply put, we believe that it should remain so for the next 40 years. With this in mind, the IBEW recommends that section 9 should be re-instated within Bill 206, as previously written."

Of course, it couldn't be because the government fumbled the ball, so now we have something that is certainly second-best; in fact it's totally inappropriate when it comes to the introduction of that concept into the bill.

I think the biggest issue is really clear. It's the issue that has been raised, that has taken us to the brink of this work action about to occur in Ontario. I made the comment at the beginning of my speech that we were very diligent in trying to put together the amendments that would take care of some of these concerns, the ones

that I've raised already. In fact, it's funny; this is the consolidated set of motions. This is the small set from the second go-round of clause-by-clause. But the very first one on top, interestingly enough, is the one to fix the paramedics' problem with the NRA 60. I could go through them all; they're all here. I can give anybody copies if they want them, but they're also very accessible in Hansard.

I think it's really important that I spend time on the issue of the inherent unfairness of the bill, because this is the thing that somehow the government refuses to acknowledge. It's really sad, because the evidence is so clear and obvious that in fact they wrote it fairly the first time, and then they brought amendments that screwed the whole thing up, that messed the whole thing up. As a result, now we're not even back to where we started from; we're 10 paces back from when the bill was initially introduced, and that's the frustrating part about it.

I know these things have been raised in the Legislature already, but I think it's worthwhile repeating because it really is, in a big way, the crux of the matter when it comes to whether or not this government has been paying attention, not only to the stakeholders, particularly the stakeholders who are not currently guaranteed their supplementals in the bill, but also to themselves. The Premier, when he was the leader of the official opposition, wrote a letter back in October 2002 to the then chair of OMERS indicating very clearly that they would undertake a process of decision-making, a process of getting over parts of negotiations when they got stalled or stuck or when they couldn't come to an agreement; a dispute resolution type of process. The Premier clearly said this, and it's in black and white: "Our support will be conditional on the legislation providing for a dispute resolution mechanism similar to the teachers' plan." Well, that's pretty clear. In fact, lo and behold, initially, that was in there. It was a simple process that initially proposed that any decision—now this is a decision of the sponsors organization to provide a number of different things, but to provide supplementals or to provide changes in benefits. Any proposal initially, the first time around, needed 50% plus one to approve. If there was a deadlock of 50-50, the proposal would go to mediation. If the mediation report came back, it needed to get a simple majority, 50 plus one, to approve the mediator's report, and if it was deadlocked, it would be sent back to binding arbitration.

Anybody in this province who is either a worker or an employer, who has experience in the process of collective bargaining, will know that this is the normal way of doing things within that milieu. This is the normal way of getting over impasses. And this is what Dalton McGuinty promised in his letter to the then chair of the OMERS board back in October 2002. I can't find it to wave it around, but it—oh. Right here, okay? He promised it.

In the first draft of the bill, it was actually there. But what happens is, we go through a process of public meetings, of hearings, we hear from stakeholders, and the government comes back with a change that basically

does this. Again, this is really important, because this is the fatal flaw; this is the big fault line that exists. Yes, there are other problems, and I'm going to actually raise them a little bit later on. There are other more broad problems, if you want to call them that, some philosophical, some specific, but there are other problems with the bill. But there are a couple that were what we call the fatal flaws. This is a fatal flaw because now, here's what happens. Keep in mind that this is what the government considers to be fair to all stakeholders. When this bill is passed, and it will be, obviously, because they've now time-allocated it, which means they have shut down the debate. It means they don't want people to know this very information, so that's why I'm giving it to you now.

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The bill will automatically allow—and in fact require—that supplemental agreements be put in place for police and fire. Again, in principle and in practicality, that's something that New Democrats are on record as supporting and most other workers—in fact, I don't recall any during clause-by-clause or during the public hearing process that had a problem with that principle and they all understood why it was important to have it in there.

The problem, though, is that other worker members of the plan are not being treated fairly in that instead of going through the regular process, the one I just described that was initially in the bill to get over impasses on plan improvements or on the offering of supplementals for all the other workers, here's the process they have to go through. That's why my leader, Howard Hampton, in some of his questions to the minister and the Premier has been asking, "Why are you putting up these roadblocks?" These are roadblocks for other workers to get a fair shake in this bill, and here's what the process is.

The initial proposal to improve benefits or introduce the supplemental, which before required 50% plus one for approval, now requires a two-thirds majority. If it doesn't get the two-thirds majority, it needs 50% plus one to go to mediation. It's important to recall who's on the sponsors corporation. Interestingly enough, it's made up of 50% employer and 50% employee representatives. It makes sense that it's a 50-50 body. These are the two major stakeholder representatives in a broad context: employers and workers. These are the same two types of parties that negotiate with each other on a regular basis in the process of collective bargaining. The relationship is not an unknown one, it's not an untested one or a new one. It's a tried and true process that has been undertaken in this province for decades. But instead of having that process undertaken within the context of this body, now what's required is a two-thirds majority, so that a number of the employer representatives have to agree with the worker representatives on a potential change.

That's not even the worst of it. If that doesn't happen, if you can't get the two-thirds majority, then you need to get at least 50% plus one to agree to take it to the next step, which is mediation. So you still need one of the employer reps to vote with the worker reps on the sponsors corporation to get it to mediation. But that's not even

the end of it. Once the mediator makes the decision, it has to come back and get two-thirds majority support again to implement the recommendations of the mediator. So again, they're building these roadblocks and putting up these bars that are almost impossible to jump over.

That's the crux of the problem that other workers have and why they are saying that this bill does not treat them fairly in terms of their ability to make gains in their pension plans, and that, quite frankly, is very clear. But the problem is that the government uses language and swirls around these sound bites so that people don't have a clear understanding of what the issues are.

Not only does the mediator's recommendation then require a two-thirds majority support—again, keep in mind, a two-thirds majority when half are employee and half are employer—but if that can't be reached, then it needs 50% plus one to send it to arbitration. Basically, somebody's going to have to break ranks. You're setting up a process that basically, in effect, in practicality, in day-to-day operations, stymies the opportunity for many workers to obtain what they need in terms of a fair process to get some changes to their pension plan or even to have the possibility of a supplemental considered.

That is the big issue, the big flaw in the government's legislation. Any one of them can get up and say, "It's fair. It's not a two-tier system. We're treating everyone fairly, and police and fire deserve their supplementals," which, darn it, they do, and everybody agrees. But that's not the issue. The issue isn't the supplementals. They like to talk about that; they like to get the public's sympathy for that. But what they are doing is talking to you over here while they are doing something else over there, hoping you don't see what's going on over there. It's a typical trick of a magician.

The McGuinty magic trick in Bill 206 is that they are saying one thing to the public—I said this to the minister in my questions and comments after he made his report; I'm pretty upfront about it—and only telling a part of the story. The nasty, ugly part of the story that's about to put workers in this province on picket lines from one community to the next is that fatal flaw in this legislation. The members opposite had better take the time to figure it out, because they are the ones who are going to have to explain it in their communities to the workers on the front lines, as well as to members of public service organizations, whether it's a library, a school, garbage collection or part of the municipal service. Whatever the possible service is that is going to be affected, it's the people of Ontario who are going to have to understand why the government couldn't see fit to build in a fair process, not guaranteeing supplementals for these workers, not guaranteeing improvements to their pension plan, just a fair negotiating process, one that they are accustomed to in the relationships with their employees already, one that they use on a regular basis in negotiating their collective agreements—just a fair, regular process, one that's not foreign, one that's actually guaranteed in the letter that Dalton McGuinty provided when he was the

leader of the official opposition—it's right here; he said he wanted that—and one that is in the first draft of the bill.

For some reason, they've decided all of a sudden that they don't want to be fair. They don't want to live up to Dalton McGuinty's promises—surprise, surprise. They don't want to do what they had initially done in the bill, which is what everybody accepted as the right process. Instead, they want to do something that is so offensive that literally every single worker group that is affected by this language and that came to the hearings in the second round spoke out against it—every single one. In fact, the language they were using was quite strong. They were talking about that whole piece being the deal breaker, or one big part of the deal breakers for this bill.

I have a number of quotes. You can never really adequately represent the language, the concern, the passion with which people bring their concerns to these committees. I have to say that it's certainly been a privilege to sit on this committee and meet so many great people, whether they be members of unions, members of the emergency services organizations, people from municipalities. If there is one thing that is true, it is that people who came to those committee hearings did so from a position of passion and real concern for their pension legislation.

I'm going to read a couple of these, because I think it's extremely important.

This one is from—go figure—the OSSTF, the very organization that Dalton McGuinty had promised, in this letter of October 3, 2002, the same organization that he refers to as the model—they came and made a presentation at the hearing. Here's what they had to say. This was by Rhonda Kimberley-Young:

“Amendments to section 43 of Bill 206 requiring a two-thirds majority vote to improve benefits or adjust contribution rates cannot be part of a pension partnership that equally shares risks and rewards. This form of dispute settlement mechanism will only exacerbate a sort of fractious nature among OMERS contributors and employers.

“What this amendment does is tip the balance of the sponsors corporation decision-making power. It gives employers veto power”—all the things we've been saying in this House. “The enhanced majority requirement creates a relationship between unequals. Voting ... representatives from one side or the other break ranks, and ultimately the enhanced majority will prevent disputes from ever going to binding arbitration.” It will prevent, in other words, opportunities for improvements to the plan or for supplementals. “For OSSTF, a pension partnership that lacks a fair dispute-settling mechanism for our OMERS members is a real deal breaker. We are concerned about that amendment in particular.

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“We believe that the government can't wash its hands of OMERS governance by handing the partners a governance model that's flawed, putting in place an operating structure that we believe is not given what it needs to

succeed, and by the kinds of restrictions that have been put in those amendments on the partners' decision-making power.”

That says it all. And shame on you for sitting here and time-allocating this bill when, if anybody had bothered to look at the Hansard from January 25, you would all understand that that's exactly what the problem is and we wouldn't be in this situation today. And it's shameful, it's truly shameful, because Ms. Kimberley-Young was not the only person that raised that issue. The government had ample warning, starting in the middle of January, a month ago, that we were going down this direction. They had ample opportunity to fix it, but they decided not to.

There is another one that I wanted to quote. This one is from the delegation by Ms. Cara MacDonald. She was there from the Canadian Auto Workers Union. I did mention last time around that this bill—we see it oftentimes as emergency workers versus members of CUPE in terms of—not “versus”; I shouldn't say that—but in terms of describing the union stakeholders or the worker-side stakeholders in the bill. But in fact there are many other union organizations that represent members who are members of this pension plan. I've already spoken about the OSSTF, who have members of their union that are also members of this plan.

Another organization is the one that Ms. MacDonald spoke on behalf of, the auto workers, and what she said about this bill is exactly the same. First of all, she talked about the representation on the two corporations and had some concerns about that. But as we know, a lot of those issues have taken a back seat to the issues that are currently on the front burner. What she says is “that some groups have effectively lobbied the ... government.” She says, “We ... need to scrap this” bill “and start from the drawing board, get back to basics and try to start discussing the structure again, as opposed to having it imposed on us.” What she says is that the bottom line is that the deal breaker in this legislation is the two-thirds majority. That's not only what she said, but it's also what the teachers said in their presentation, and of course it's also what the member from CUPE, Antoni Shelton, said when he was at the committee. He said, “As you know, we've made it clear that there are a number of issues that have been put on the table through amendments in second reading, like the super-majority, two-thirds majority; like having managers on our side of the table.” I'll get to that one; I haven't spoken to that one yet, the clerks and treasurers. “And we have the issue of the offset and accrual rate cap,” which I believe actually has been dealt with.

Needless to say, a number of worker representatives have put on the table the issue of the two-thirds majority requirement being the deal breaker, so the government has no place to hide when it comes to pretending that they don't understand why the unions are saying and why the plan members are saying that this is not a devolution in the way that the sense of the word was understood when they began to embark on the process. It's interesting, because another issue that came up in the first set

of hearings on this bill was the dichotomy between what the plan members from the workers' perspective were saying versus what the employers' side was saying. I can remember that when this bill was first introduced I hadn't been here very long at all, so I didn't really have an understanding, never mind of the process, but even of the bill and the language and how you deal with all of these different things. I can remember speaking to the president of CUPE and saying, "Give me an understanding of what's gone on so far. Why is this bill here?" He described that there had been some failed processes in the past that didn't really end up with anything positive in terms of any movement forward with previous governments on this bill.

It's interesting because that was the perspective of many of the people who made presentations from the worker side, regardless of what union or organization they were from. On the employer side, though, it was absolutely the opposite. They couldn't understand what the whole fuss was about in the first place: "Why are we even talking about this? Nobody even wants this to happen. Nobody's even interested in having OMERS devolve to the stakeholders." It's really interesting that from the very beginning it didn't seem like the employers necessarily were engaged in the dialogue. It seems to me in hindsight that that's perhaps why we're where we are right now.

I can recall, because I was so new at this, that I put a question to the minister when the bill was first introduced. I can remember asking the question, because that was some of the information I had gleaned in a very short time about the process. I said, "Why aren't you just setting a table for people to come and discuss what the issues are? Why aren't you setting the traditional framework for employers and employees to talk about what they would like to see in the devolution of their pension plan?" Today, so many months later, that's one of the issues that still comes up, and after the last set of public hearings on this issue, a number of people indicated the same concern and the same frustration: "You should have actually just had us all sit down and hammer this out."

I said at the beginning of my speech, and I truly believe it, that part of the reason we are where we are is because when the government embarked on this effort on Bill 206, they did it in isolation, and they did it by having two different agendas and they couldn't even figure out which agenda was primary. Was it to devolve the pension plan or was it to fulfill a promise they had made to emergency workers on their supplementals? Either one is a laudable goal, but the problem is that because of the way they fumbled the ball and didn't bring stakeholders together in a common setting to deal with it, they created huge rifts and ended up in the situation where we are now, where a number of workers in this province are completely unhappy with this bill.

I spoke a little bit about the two-thirds majority. I have many more quotes in my records indicating the difficulty people have with the two-thirds majority. This one, if I

can finish on this, is from Mr. Ryan. Here's the cannon across the bow for the government that Mr. Ryan put out on January 25. He said this: "By the way, there are not two-tier systems in here when it comes to workers. The workers of CUPE are every bit as important to the system in this province as the police and the firefighters."

He goes on to raise issues around the importance of the work his members do. "Our members should be entitled to negotiate as good a pension plan as anybody else who's a public sector worker in this province, regardless of whether they wear a uniform or don't wear a uniform." Here's what he says about the majority: "The two-thirds voting requirement, in our opinion, is anti-democratic and gives a minority of the sponsors corporation a veto over the wishes of the majority. In the circumstances proposed by Bill 206, such a veto will guarantee that the predominantly female members of the OMERS workforce will remain strictly second-class members of the OMERS pension plan in perpetuity."

I will remind people who might have been watching the horrible display that when I raised that very issue in this Legislature in the form of a question and was heckled by the members across the way, indicating that where there are low-income workers in this province this bill will simply reinforce their retirement into poverty, people laughed at that, and I was quite disgusted. But the crux of the matter is this: If you set up a system that basically prevents those workers from obtaining improvements to their benefits or supplemental plans, then of course—they're lower-paid workers; they don't make the high wages—they can't accrue in their pension plan high benefits on which to retire.

In fact, they give a couple of examples. This is from the presentation that was provided, and I think it illustrates that very point, and it's important to read it into the record again. A typical worker named Sally works for 35 years, earning \$30,000 a year, and retires at the age of 65. Under the accrual rate that's entrenched in the bill, \$11,900 is what she can get. There is not a city in this province where you can live on \$11,900. You'd be below the poverty level. The problem is that any improvements need to go through that unbelievable process that was described earlier, the two-thirds majority process. There you have the crux of the matter in terms of the assertion that people covered by the plan, a large number of workers—lower-paid workers, women workers, immigrant workers—are going to be relegated to this situation where they cannot get improvements to their pension plan because the government, in its lack of wisdom, has decided that they're going to put a structure and a process in place that prevents them from getting there.

1750

There are a number of other issues that came up in the discussion and debate about the bill. I think the two most important ones at this point, or at least the two that the government should have been able to see quite clearly, are the ones I just described, the two-thirds majority, the one that we have put—again, here is the package of amendments. We put many, many amendments in both

the first set of clause-by-clause and the second to try to get these motions in here. We had 62 amendments that we put in the first round of clause-by-clause; we had 28 that we put in the second. Again, in the government's sly little way of talking about this bill, they say, "We accepted three of the NDP amendments." Gee, maybe if you had accepted the other 87, we wouldn't be in the situation we're in today in terms of the significant, severe disappointment that many people have with this legislation.

We also have some issues that came up during the process of clause-by-clause discussion of this bill that are probably worth putting on the record because they in some ways relate to concerns that are being raised by workers whose pension plans are being used to fund government initiatives that they don't see as being in the best interests of workers. I think particularly of P3s, because of course the debate on LHINs is happening later on this evening. I thought it would be a good segue into that debate, because it's coming up after the recess. Many workers—and it's not just OMERS workers; it's many workers across the province—have been facing this dilemma whereby their pension investments, their pension plans, are used as capital to invest in things like P3 hospitals, things that are fundamentally in opposition not only to the values of those very members but also in fact will kill their jobs, reduce their wages, kill their unions and so on.

Interestingly enough, a big part of the debate around this bill had to do with the extent to which there need to be checks and balances, or some shining of light, I guess is the way they often talk about it, in the decisions that the investment body, the administration corporation, is going to make on this in terms of the investments. There were many amendments put that would shift that balance, and, again, those amendments weren't accepted by the government. But the principles, I think, were important to put out there, because it provided an opportunity for the issues to be brought forward in the real debate around the pension plan, where workers are struggling with these very issues.

Many will know that the OMERS pension plan itself has not been without scandal in terms of at least allegations of considerable wrongdoing around particular investments or decisions that were made in terms of the investments, so what many were looking for was a way to provide an oversight body, if you want to call it that, that would look at the decisions and make sure that those decisions at least had some light shone on them in terms of how they were being made, and some accountability built into the process.

It looks like people are anxiously on the edges of their seats because it's getting close to the time when I'm going to be finished, but I do believe I have a couple of minutes left. When we next debate this bill—oh, I guess we're not going to debate this bill again because you've called for time allocation on it. Are we going to debate this bill again? I have about five minutes left.

Mr. Tascona: No. It's just a motion, a time allocation motion.

Ms. Horwath: Okay. It's just a motion so far. All right.

I'll end it today by saying that there are a couple of other issues that I think still need to be raised. But I have to say that it's a sad day in Ontario when the government purposely decides that they are not going to do the very few things that could be done to not only avert a work stoppage in Ontario that we're on the cusp of but also—and I think it's extremely important—to fix their fumbling of a devolution of a pension plan that means so much to so many workers. They could have done that in a very easy way by accepting some of the amendments on the issues that I brought forward today.

On that note, I am losing my voice. I appreciate the opportunity and look forward to debating this again.

The Acting Speaker: It being almost 6 of the clock, this House stands adjourned until later on this evening at 6:45.

The House adjourned at 1756.

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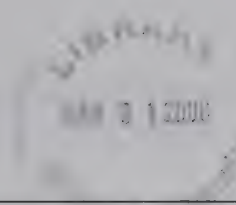
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Mardi 21 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 février 2006

The House met at 1845.

ORDERS OF THE DAY

LOCAL HEALTH SYSTEM INTEGRATION ACT, 2006

LOI DE 2006 SUR L'INTÉGRATION DU SYSTÈME DE SANTÉ LOCAL

Mr. Smitherman moved third reading of the following bill:

Bill 36, An Act to provide for the integration of the local system for the delivery of health services / Projet de loi 36, Loi prévoyant l'intégration du système local de prestation des services de santé.

The Acting Speaker (Mr. Ted Arnott): I recognize the Minister of Health to lead off.

Hon. George Smitherman (Minister of Health and Long-Term Care): It's a privilege, as always, to have the opportunity to speak in this chamber. I'm particularly proud tonight to be able to do so on the subject of Bill 36.

This is a bill that is designed very much to echo the ambitions that Ontario's patients have for a health care system, not just a loose cluster of services but one that actually performs like a system. We believe that the high expectations that the people, the patients of Ontario, have for their health care system are appropriately high.

We're a government that brings to our responsibilities for the delivery of health in our province a fundamental belief in medicare, that the system is not our system, that it's not a system that belongs to the stakeholders, but rather that it belongs to the patients. The public health care system, by its very nature and by the very words we use, is owned by the public. Accordingly, at the heart of this bill is a desire to give them more responsibility, more control, more opportunity for input and influence over that very system they themselves own and that has been seriously lacking, I say to people who will be watching from home tonight.

What we seek to create here in Ontario is the capacity to organize our health services in a regional way, along the lines of the way that the services are delivered, that recognizes the patterns people go through right now to be able to receive care. We believe that part and parcel of that is to create a better opportunity for patients, for citizens, on a daily basis to be more engaged in the

decision-making and discussions that go on around the way health care is organized.

I say that there are, I believe, a lot of pretenders out there. There are a lot of people who pretend they are the voice of medicare, but I really believe our government has a very strong case to make about the work we've done as a government since coming to office in 2003 in terms of underscoring our fundamental belief in medicare. I say all the time with pride that medicare is the best expression of Canadian values, but we back that up. If you want to call that a lofty statement or if you want to call it rhetoric, it doesn't matter to me, because we've backed up that language with serious action.

The first bill I had the privilege of introducing in this Legislature, Bill 8, the Commitment to the Future of Medicare Act, is now a bill that is seen as being particularly helpful in turning back some of the pressures that are there for private health care, but we must call attention to the reality, which is that there are two political parties in opposition in this Legislature, both of whom stood in opposition to that bill, even though it's a bill that outlined the principles we believe a vast majority of Ontarians share with their government, and that includes fundamentally the principle that a person's access to health care should not be determined by the breadth of their wallet. Indeed, it's been a disappointing circumstance in this Legislature to hear those on the opposite side offer rhetoric about their commitment to public medicare when their record shows they voted against Bill 8, a bill which has been proven effective in helping to turn back the tide of private health care.

1850

We are the government that said to LifeLine, that Ohio-based company that thought that they were going to come in and offer prospective services to patients all across the province of Ontario, "No. We will meet you at the border and we will turn you back." We're the government that has worked to repatriate MRIs into the not-for-profit sector with the view toward making sure that the provision of these important services was not left to people coordinating or operating on their own, but rather that they were tied in, in a systematic way, to health care.

A public health care system fundamentally must provide—must seek to provide—health care in an equitable way. I'm proud of many things that I have had the privilege of doing as minister of health, but what I'm proudest of are the opportunities that I have been provided, and that our government has taken advantage

of, to be able to begin to equalize the access of Ontarians to health care.

The member for Barrie–Simcoe–Bradford is with us today, and I talk a lot about the circumstances in Barrie. Barrie is not a Liberal riding, but it's a riding close to my heart because it's close to my mother's home. I don't find it a satisfactory circumstance that, in this same Ontario health care system around which so many people here today are so encouraged to cling to the status quo, we had a circumstance where the people of Simcoe county who live in and around the Barrie hospital were being asked to wait one year for access to an MRI, when in other parts of the same health care system, access could be achieved much more quickly. It was not satisfactory to inherit, as a government, a circumstance where the people of Ottawa were set back so far with respect with access to MRI. I am proud that we have been a government that has been involved in enhancing access on an equitable basis.

There is more work to be done, but if we are to use the word "system" associated with the public health care system, then the obligation is ours, the responsibility is ours to make sure that those services are more equitable than they are at present. Local health integration networks create boundaries, regional boundaries which patients can move across, but at the same time, just doing that alone creates an accountability whereby the health care providers in that area will have a clearer sense of responsibility for the patients who also live there. We take a population health basis approach to the coordination of health care because it is time at long last to put the patients at the centre of health care in this province.

I grow a little frustrated, I must confess, when I watch, in particular, organized labour in our province seek to play what I think are very dangerous games with their employees, with the employees who are part of those unions. Members in all parts of the province have come to me and repeated the stories that unions have told and retold about impending layoffs and all of that; this great spectre of gloom and doom. The only problem with it is that it stands in stark and direct contrast with the reality of health care in the province of Ontario today.

I just want to go through a list of some of those investments that we've made, investments which enjoy the mark of approval from people like Roy Romanow, someone that our government has looked to very much for solutions in terms of some of the things that need to be done at long last in health care in our province.

Community health centres: I believe everyone in this Legislature agrees that community health centres are fundamentally essential to help address the particular challenges that occur, especially in some communities. Our government is the one that's making a \$75-million advancement in bringing to life about 40 new community health centres across the province of Ontario. These are exactly the kinds of things that Romanow and others have pleaded with jurisdictions to move forward on. Here in Ontario we're well beyond the talk; we're getting it done.

We're developing 150 family health teams: interdisciplinary health care. Who told us about that? The same people, those champions of public care like Roy Romanow who, like our government, believe fundamentally that the health care system that we have is a good one but that it can be enhanced dramatically and that we can seek to achieve a better result and outcome for the people of the province of Ontario.

Midwives: We've enhanced quite dramatically access for Ontarians to midwives, and we're working hard to produce more of them. We're a government that has brought in a new vaccination program, because we think it's an honourable and appropriate thing to do to offer those newborns, those youngest in our society, the best possible way forward. That's the same reason why our government is moving Ontario from worst to first on the issue of newborn screening. We will not stand idly by while opportunities to enhance the care for our youngest are passed over.

Residential hospices: We worked with those people who bring so much love and commitment to the work that they do, mostly as volunteers, to enhance the dignity and the quality of life for those who are in their final days. We are moving forward with a \$100-million investment to create a coordinated end-of-life strategy that includes 30 residential hospices.

These are just some of the initiatives that we have been involved in, but they are a very good indication of the values that our government brings to the work that we do in health care. We believe fundamentally that it is a value-laden mission. Health care, I say all the time, is this most special public service. It's not really just a service at all. It's not just about an extension of care; it is about the contribution of love that goes alongside that care. The values that people like Roy Romanow have championed are the values and initiatives that we have championed as a government as well.

But it's time for all of us to stand in our place—and I offer this challenge to others: Stand in your place and send the signal that the status quo is not good enough. The reality is that there are two political parties. They are in opposition in this chamber, and they stand in opposition to everything. They do not share a vision with the people of the province of Ontario that recognizes the qualities of the public health care system while at the same time recognizing the tremendous opportunities to enhance the quality. We believe in medicare, and fundamentally we believe that it can be better. The obligation is ours to return some semblance of voice, to provide more opportunity and to enhance the quality of the conversation for those people, those patients, 12.5 million of them strong, who have been left on the sidelines for too long in a debate that has been controlled by those inside health care, who very often rely on the complexity and the language of health care to deny the people of the province of Ontario the fundamental opportunity that ought to be theirs, which is to be involved in the conversation.

If you are someone who's listening in at home and you take nothing else away from the presentation that I make today, then take this away: The circumstances where health care decisions have occurred that come out of the blue with no notice at all are something of the past. If this bill is passed tonight, local health integration networks will gain new opportunities, new responsibilities to engage in meaningful citizen dialogue, to be transparent in their actions and to make their decision in the full light of day with the citizenry and the patients of the province of Ontario there as well. It's time to uncloak the decision-making mechanisms of health care and to provide the citizens with more of an opportunity to influence them.

We believe in reform. We recognize, of course, that inherent in any reform, in any change, there are challenges there for people. Of course, we know it. We each go through this in our personal way. But the changes that we seek for health care are changes that are necessary on behalf of the patients of the province of Ontario.

We are not pretending. When I spoke at the committee, I had the privilege of saying that there is no intoxicating offer, no panacea here. No one here is pretending that the changes that we seek can be accomplished overnight. No one here is pretending that all of the challenges we have can be confronted at the same time. No one on this side is pretending that if you identify 1,000 problems, you can fix 1,000 problems at once. But there is a very sound principle here, and it goes like this: You cannot appropriately manage a \$33-billion operation from head office. You can try, you can pretend and you can shovel the dough out the door and try to send it in the most appropriate direction possible, but in a circumstance where Ontario's health care system has not evolved equally, it is impossible to distribute resources from Queen's Park in a fashion that is equitable for the people across the province. The reality is in, it's clear, and people have to stop pretending. It's not any good any longer to pretend that the people of Ottawa have not been disadvantaged with respect to access to hip surgery and knee surgery, because they have. Moving towards local health integration networks, collecting that data on a regional basis, is the first step in addressing some of the fundamental inequities that have been very disturbing to people in various parts of our province.

1900

We believe in change. It's necessary, in a time of evolution, to evolve. No one should pretend their way through this any longer, that the status quo of services delivered 30 or 40 years ago in a hospital is the same service that should be delivered now. I had a meeting very recently with the mayor of a small community who worries for the future of his hospital. I had to look that mayor in the eye and say, "The circumstance where your hospital delivered 63 babies last year is not a circumstance that is sustainable." The same hospital, 30 or 40 years ago, might have delivered 300, 400 or perhaps even 500 babies. We cannot pretend away the clear reality, which is that if you have to get a service done, especially if it's one that has a higher acuity, a higher risk asso-

ciated with it, the evidence is clear: You want to have that service provided in an environment not where they do it every two or three days, but rather where they do two or three a day. And we can't pretend any longer on points like that.

We believe in continuous quality improvement. The health care system provides a tremendous resource to people. It supports a variety of programs that we should be very proud of. We have good population health stats in a variety of ways that we should hang our hat on and say, "These are the benefits of the public health care system," but that does not mean we should pretend our way through many of the challenges that our patients are experiencing.

We are a government that is restless to see improvement, but we also recognize that that improvement must be marked in what I call continuous quality improvement; not the policies of the Conservative government of the past, that for the first three or four years in government cut and slashed and burned their way through every branch of the Ministry of Health, leaving hospitals eviscerated and on the sidelines, thousands of nurses chopped off at the knees and sent packing, and compared to hula hoops; nor the policies of the New Democratic Party, which closed 11,000 hospital beds on their watch. These are the policies that we cannot return to.

We have introduced, through our funding initiatives, a stability that the health care system has needed for a long time, not some magic number where people pretend their way through the idea that 10% or 15% increases on an annual basis are sustainable. None of us would pretend, if our mortgage payment or our rent payment was going up at 10% or 12% a year, that we could sustain that, year in and year out. We are not pretending. But we do believe fundamentally that if you provide sustainable, stable funding and you attach to that appropriate accountabilities, this health care system, fuelled by 250,000 people of commitment and conviction and compassion, can innovate and improve, and that together we can provide an even better benefit to the people of Ontario.

We've set about that path of improvement. We're working very vigorously to reduce wait times. It wasn't me, it was Cancer Care Ontario that reported that, through our initiatives, radiation treatment for cancer patients—people we all know and care about desperately—were reduced in one year, year over year, by 16%. This is a celebration, not of our government, but of those front-line health care providers who have reoriented the way that they do work, with a view towards enhancing access to our patients.

On the issue of more nurses and doctors, every story around here about any adjustment in a hospital environment where some workers may face layoff is promoted to the very highest level. But why have the patients of Ontario, as a result of the actions of parties in opposition and labour unions, not come to know, as they deserve to know, that on our watch there are more than 4,000 new nurses working in health care in Ontario?

It's appropriate that the people of Ontario note that last year in our province, with only one exception in our entire history, did we license more doctors. The College of Physicians and Surgeons reported just a few weeks ago the highest number of doctors licensed in any year other than 1986, and—get this—the largest single group of those getting licensed were foreign-trained doctors: international medical graduates making up 39% of the entire total.

We believe fundamentally that Ontario can be a healthier place. That's why I'm so proud that the Premier in June at the cabinet shuffle introduced not just a new minister but a new ministry, new leadership, energy and resources to dedicate to the task that we must all be dedicated to: keeping Ontarians healthier in the first place. These are the commitments that we've worked on: no delusions, more honesty and no pretending. No panacea game here, just the simple recognition that in an environment where there will always be fewer resources than we would all prefer, it just makes good common sense to ask people from local communities who are closer to the action to exercise crucial judgments like which health care priority in our area must be supported first. This is the principle that is at play.

I listened to Mr. Tory the other day malign those people who have come to serve on the boards of local health integration networks. I felt bad about it, because I know that John Tory really didn't want to criticize Tony Fell. Tony Fell is a man who shares a different political ideology than mine, but he's also someone who has a demonstrated track record of commitment to community. If you look across the breadth of all of those who I have had the privilege of bringing forward for nomination to roles in local health integration networks, they don't all share a common lineage, they're not all from the same socioeconomic group and they most certainly are not all from the same political party, but they have one thing in common: They are people who have a demonstrated track record of commitment to their communities.

Something I have been very saddened to see is the Leader of the Opposition seeking to be partisan and to dispense with any content to, in one single swipe of a sentence, diminish all of these people as the hand-picked toadies of the Minister of Health. This tells you a lot about the dynamic that they want in health care. They're just like the union stakeholders. They want to set up a dynamic whereby it's all about the fight, or, in the case of the New Democratic Party, it's all about the process. But where does the rubber hit the road? At what point is it the responsibility of the province of Ontario to fulfill its fundamental accountability to the people of the province who, like our government, are restless for change and for improvement? We are not a government that enjoys the privilege of governing because we went to the people and offered them the status quo. We are a government that is fulfilling the commitments we made to the people of Ontario because, like them, we fundamentally believe that our system of public health care is good and can be better, and that's what we're motivated by.

As various provinces adopt or discuss private delivery options, unions pretend that this bill is the real threat to medicare. They dedicate themselves, they bring an energy that is rather remarkable and they spend time and energy convincing a sector that has seen nothing except increased employment. They see their role and responsibility as frightening those people, to make them angry, to tell them that they will be laid off. These circumstances are frustrating to a health care system that has had just enough of those brinkmanship games.

Local health integration networks are operating on a simpler premise. It's a realistic premise. It's no more pretending. It's a recognition that fundamentally the things we seek together, those values that we have in common, can be delivered on with a fundamental commitment and belief in community. John Tory makes up scary stories, and then on the weekend he endorses Copeman-style private medical clinics. Here's what I know about a Copeman-style private medical clinic. That's where the publicly trained doctors leave the public system and the patients behind. They go in search of patients who can afford to pay them thousands and thousands of dollars. Well, I can't afford that and most of the people I know can't afford that. In fact, most people can't afford that, and we work for most people. That is our responsibility.

I used the word "values" before. This is a bill that in the very preamble is founded on the principles of the Canada Health Act. I am a Liberal. I have the privilege of being a Liberal and being associated with the party that introduced the Canada Health Act. It's a privilege to know Monique Bégin and to find in her the confidence that she has to offer about the agenda that we're advancing, an agenda that is proud of the public health care system and seeks to make it even better. We build on that with our Commitment to the Future of Medicare Act, which has strict limitations, strict prohibitions, with serious penalties for any of those who would seek to offer two-tier medicine in our province, two-tier medicine of the kind supported around the Copeman clinics and by John Tory.

1910

We believe fundamentally in community. I had a chance to speak about that before, the common denominator among those we have asked to exercise important responsibilities on our behalf, keeping in mind our fundamental accountability, which we would never, and have never, sought to duck at all.

We know that on election day, October 4, 2007, as we go to the polls in our various ridings, the people of Ontario will be offering their view about how the provincial government has performed on important issues, including health care. No one whatsoever has pretended that there is an alteration in that fundamental accountability, yet those who call for that accountability on the one hand also seek to advance the idea that having these individuals elected is somehow consistent. This is where they miss the point.

Having elected people in local areas providing these roles disconnected from a funding relationship is not a responsible way to go forward. It's only exciting for those who have become intoxicated with the game of health care: the discussions and the fights and the constant mashing. But those of us who believe that the only way we can move forward is with the recognition that we are all in it together, no differently, are proud to accept our responsibilities and the accountability associated with delivering health care in our province.

There are communities we have sought, through the changes that we supported at committee, to enhance the mechanisms by which they are engaged in helping to coordinate and deliver health care. We have obligations to our francophone communities associated with the French Language Services Act, and accordingly I'm very pleased with the changes that have been made in the bill to solidify those relationships.

Even more forcefully, we are proud to create in legislation a mechanism whereby our government can work with First Nations government at the highest level to do something, for once, about the circumstances that affect our First Nations communities. But on this point we cannot pretend either. The government-to-government relationships and mechanisms that we seek out are not robust, not well developed, and the challenges around that should not be misunderstood. Nor should our dedication to working with First Nations and aboriginal communities to create the capacity at the highest level, where they influence the Ministry of Health on a government-to-government basis; not just one voice, not just those on reserve, not just those off reserve, not just those who identify with one band or nation or another, but rather creating a mechanism whereby the 200,000 or so First Nations people, founding people, in our province enjoy a voice in helping to determine how health care decision-making moves forward, working alongside the ministry at the highest level; and guarantee in legislation, with resources from the Ministry of Health, a new capacity to be engaged in the development of the integrated health services plans which will be the important detail work taking place right at community levels in each of 14 local health integration networks.

These are the commitments I made in meeting after meeting with First Nations leaders and these are the commitments that I'm proud our government has delivered on.

Mr. John O'Toole (Durham): This is all scripted.

Hon. Mr. Smitherman: It's all scripted, eh?

The committee sat for 10 days: seven for hearings, three for clause-by-clause. They heard hundreds of presentations and reviewed 171 tabled amendments. Many of those amendments offered, frankly, similar language from more than one party. The committee accepted 56 amendments, 56 improvements.

The Conservative government: Every bill they introduced, they passed as introduced. They jammed it. There was no commitment on the part of that party to the important public hearings process, where you open your-

self up to all of the examination and all of the investigation on the part of the citizens. But we did that.

We reaffirm our commitment to publicly funded, non-profit health care right in the preamble. We seek to enhance transparency. We got advice from the NDP and accepted this proposal to determine, to enumerate the requirements for in camera board meetings, to make sure that the circumstances are clear and minor when any decision can be taken out of the public eye and into an in camera circumstance. We sought to enhance due process, which means that any intention for a change in health care must be signalled, it must be transparent, it must be open for the citizenry to respond. I'm proud of the changes that are made there to engage the citizen and to give the citizen voice back, appropriate and consistent with their role as owners of our public health care system.

I spoke about the unprecedented role for aboriginal and francophone communities at the provincial and LHIN level and with respect to ensuring continuous quality improvement, because we believe that this is a good bill, but we recognize, of course, that we seek to have a mechanism to enhance the principle of system, to have a better coordination of services, a more seamless transition across the continuum of care for our patients. Three or four years from now, the Legislature or a committee should review this bill, should see how it's working, should consider amendments if that's necessary, because we fundamentally believe that this delivery, this change, this mechanism that creates new opportunity for the citizen to be involved is one that will engage them and will provide further opportunities on the theme of continuous quality improvement to be enhanced.

We address concerns that the bill could apply unequally to non-profit and for-profit, and so powers in section 28 now apply equally to each of these: again, evidence that the committee process does assist in providing opportunities to clarify the bills.

Let me talk about some of what you're likely to hear about: some of the opposition amendments that we rejected. I had the privilege today in question period of telling Howard Hampton exactly why we voted down their amendment. The NDP likes to tell you that this is about some competitive bidding model, and the reality is that the NDP opposes even this. Firstly, we cannot, in our circumstances, simply sit back and abide the highest-cost provider. No one who has had the privilege of governing and does not suffer from amnesia should forget the lessons that they were supposed to have learned during those five years that they had the privilege of governing, but this critic and this leader for that party have forgotten it.

I told you today the circumstance that we must face down. When we surveyed them on the issue of the provision of cataract surgery, the same Ontario health care system had a price range per eye from \$450 to more than \$2,000. Quite simply put, the amendments that the New Democratic Party brought forward asked the taxpayer, the patient of the province of Ontario, from here until the end of time, to pay the highest possible cost for

every service. The reality is that they decided to make competitive bidding something about a mechanism to engage more of the private sector, but what they forgot is that this bill applies to service providers that are in the public domain, and they are not all providing these services in an equal fashion.

We must create excellence, and accordingly we must challenge our hospitals, we must challenge our health care providers to find the capacity to provide more services in a timely way, to enhance their efficiencies and to be able to produce a better benefit for the people of the province of Ontario. We see small hospitals like the one in Bowmanville that provides a tremendous capacity to be able to move forward and to become more excellent in the provision of care like that of cataracts.

Mr. O'Toole: They need more money for operating.

Hon. Mr. Smitherman: They need more money; yes, indeed.

There was a motion for elected boards, and this is one of those motions that titillates the NDP. They get excited at the idea that they could put the cat amongst the pigeons. But I ask you: Are they not the same people who argue that local health integration networks are at heart some attempt to diffuse our fundamental accountability to the people of the province of Ontario? I'm proud to stand before you and tell you that on October 4, 2007, we will be held accountable. At the very same time, it's appropriate that we ask people whom we express confidence in, who come from the community, to exercise important judgments and the delegation of important powers that heretofore I have had the privilege of exercising on behalf of our government. We take a whole whack of the powers that are mine and transfer those to people who have been selected from the local community on the basis of their commitment and service to those communities. That is a fundamentally sound principle.

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We heard that the PCs brought forward the recommendation that the city of Toronto should become a LHIN. They offer for that I'm not sure what, but let me tell you why this doesn't make any sense at all. Firstly, it would be so large as to be unmanageable. With the responsibility for 2.5 million people, this has its own series of challenges, but the reality is that the boundaries we have chosen weren't chosen on the basis of what worked for this municipality or that; we worked on the basis of scientific analysis, of data analysis, on the issue simply.

Interjections.

Hon. Mr. Smitherman: John Tory's hecklers are at it, and they say, "Well, what science?"—the Tory party doesn't allow heckling, of course—but the circumstances are clear. It's a thing called patient referral data. It's as simple as that. We took a look at where the patients of Ontario were currently getting their care and we drew the boundaries consistent with it. I am happy to release the data. It was provided by ICES, and it demonstrates a very

high degree of the provision of service within those very boundaries.

Interjections.

Hon. Mr. Smitherman: Mr. Speaker, I don't need any help with them, but if you could quiet these ones down, that would help me quite a bit.

The Acting Speaker: I would ask the House to come to order. The Minister of Health.

Hon. Mr. Smitherman: I want to talk about a very specific story. It's the central LHIN. The central LHIN enjoys the responsibility for providing service to most of York region and to the northern part of the city of Toronto, particularly North York. Enclosed in that, or as part of that, are North York General Hospital and a former full-service hospital called Branson, which was reduced to a more modest role under the previous government using—and I won't quote Duncan Sinclair on this one.

I do say that the kind of blind obedience to the idea that a municipal boundary should dictate a health service boundary, even though they bear no resemblance to the service patterns, would have resulted in a circumstance like this for the residents of Toronto. We have tremendous capacity at Branson in the form of some very modern operating rooms, which we're now looking to utilize from a proposal for central region, which includes York region, to provide greater access to operating rooms, because we know that the desire for service growth can be accommodated using an existing infrastructure and recognizing that the people who live in York region have strong relationships with North York General Hospital. That's why we have moved forward in that fashion.

The aboriginal non-derogation clause: The member from Timmins-James Bay provoked a response from me on this point because he alleged that I had made a commitment to do this. In point of fact, in one of a very regular series of meetings with First Nations leadership, I said, "I will run this up the flagpole. I will attempt to determine whether this is plausible." Legislative counsel in the hearings themselves indicated that to put a non-derogation clause in one piece of legislation is to draw attention to the fact that it wasn't in dozens of others and, accordingly, created a very significant legal malaise. It was advice that we sought, and that's why that's not in there.

The last thing I want to talk about is section 28. The government, I should say—

Interjections.

Hon. Mr. Smitherman: I don't know why they're heckling me, Mr. Speaker.

The circumstances with respect to section 28 are clear, and the attempts to amend it at committee were clear as well. They were shenanigans. They were shenanigans brought forward by two now tired opposition parties who are trying to forget the responsibilities they had when they were in government. The Conservative government employed a test that included no transparency and no accountability. They moved about the province of Ontario

and slashed and burned and closed almost 30 of our beloved hospitals, and then they took the opportunity at committee to pretend they hadn't. They are pretending their way through this discussion.

The point here is clear. We've taken powers that have traditionally been in the Public Hospitals Act, that have been powers that the Minister of Health has had the privilege of the potential to exercise, but we've created a very, very significant dynamic around the exercising of those powers. People like to talk about hospitals, alteration of services or closure. The reality is that through the changes we've made in this legislation, we have altered the circumstances under which any such act could occur, and we have made it clear that the minister can act only upon the instigation of, only at the request of, the local health integration network.

There is no nefarious power here. In point of fact, we have moved considerably to give power back to the people over the health care system that they themselves enjoy. It's time, on behalf of the patients of Ontario, to get on with it, to bring Ontario into the modern age of health care service, coordination and delivery; to reject the past, which has resulted in inequitable access to services across the province of Ontario.

I am a Liberal. I believe fundamentally in the principles of equity. I am a Liberal, and I believe fundamentally in our public health care system. Our party believes it is the best expression of Canadian values, and we will not, as a government, do as other governments chose to do: stand on the sidelines, cross their arms and pretend that the current circumstances, the status quo, must live on.

In fact, we believe differently. We have an ambition for our health care system. It's an ambition of a system that is there in the future because it's sustainable, that takes care of people when they're ill and helps them to stay well in the first place by working together with health care providers and with mechanisms that, for once, put the patient where they belong: back at the centre of care and back in charge. When we give more power to communities, when we ask the debate to be an open one, that is transparent, where hard decisions are made in the full public eye, we will have created more of a system and we will have fundamentally done what is most important of all; that is, to take this cherished gift, this thing called medicare, this best expression of Canadian values and make it better because we will have returned it where it came from: to the people who empowered it in the very first place. This is a bill that is about the power of the citizen to help shape the future delivery of health care in our province.

The Acting Speaker: Questions and comments?

Mrs. Elizabeth Witmer (Kitchener-Waterloo): Certainly much of the what the honourable minister has just said does challenge the word "honesty," which he repeated over and over again. First of all, I would say that to use the word "honesty" and say that it gives power to the people, this bill actually gives more power to the

minister. If you take a look at legal interpretations, it says there is a significant extension of government power.

Also, this minister talks about not liking private health care and that people are going to have access regardless of the size of their wallet. Why did this government delist optometry services, eye tests, chiropractic services and physiotherapy? I'll tell you, there are people today who, because of the small size of their wallet, can no longer access those services. We all get the letters.

I would also say that for the minister to say that our leader, John Tory, denigrated the individuals appointed to the LHINs is incorrect and it is totally inappropriate. I would just challenge him to stand up and acknowledge that that's not so.

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Also, this is a government that stood before the people of Ontario before the last election and said, "I will not raise your taxes and I will not lower them," over and over again on TV. And what happened when this government came into office? The first thing you did was to introduce a health tax, about \$2.5 billion, \$900 per family. You are hurting families in this province. You have increased health care costs for people, and yet this health tax is going into the general coffers and you can't even account for it. So for you to say that you're helping people—you have created financial hardship for people in this province.

Ms. Shelley Martel (Nickel Belt): Given that the minister had so much to say about unions and workers tonight, I want to welcome the union members and the workers who are in the gallery tonight. I specifically want to recognize Leah Casselman, president of OPSEU, and I want to say that the concerns they raised before and during the hearings were absolutely legitimate, absolutely correct, and nothing that the government has done during the amendment process has alleviated those concerns at all.

Let me give you some examples. The bill, of course, will allow for privatization of health care services through section 33, which gives the minister, and then the LHINs, the power to outsource any number of non-clinical services from hospitals, even if they don't have the approval of the board of the hospital to do that. Nothing changed in that section.

Secondly, the bill permits the privatization of health care services because competitive bidding will be used as the mechanism for LHINs to acquire services. I challenged the Liberal members, who said again and again, "Nothing in the bill says that we're going to use competitive bidding," to put it in the bill. I moved the amendment that would prohibit competitive bidding from being used as a source to acquire health care services, and the Liberal members, except for one, voted that down despite everything that we heard at the public hearings about how destructive competitive bidding has been in home care.

It's a fallacy for this government to pretend that the LHINs are all about the community and more local control. The LHIN members are appointed by the government; they serve at a time directed by the government; they are defined as agents of the government in the bill;

they are accountable back to the minister. There is no method of accountability for them back to the community that this minister purports to say they serve. The power that the minister has to integrate services, which includes transfer, merge, cease operations etc., is a power that the ministry staff told the committee is above and beyond the powers a Minister of Health has already had. That's what we heard during the clause-by-clause.

Mr. Mario G. Racco (Thornhill): I am pleased to support and speak in favour of Bill 36. As you know, Speaker, as the Chairman of the social policy committee, I had the pleasure, with you and other people, to travel the province of Ontario. We visited London, Thunder Bay and Ottawa, and we spent four days in Toronto, to hear deputations from all over the province. We also heard their comments through teleconferencing. Therefore, we were able to listen to almost any corner of the province of Ontario.

A number of issues were raised in those presentations, but I must say that the minister was able to allow 56 amendments to the bill. Of course, of those 56 amendments that were approved in the bill, eight of them came from the PCs and two came from the NDP. So there was change made to the bill to reflect some of the arguments that were presented by the people. And we spent three days on clause-by-clause to be able to satisfy and allow everyone to speak their mind on this very important topic.

I certainly believe that LHINs are the right way to go. They certainly, in my opinion, will allow the local people to have more input into how we manage our hospitals, our health care in the province of Ontario. I understand there are some issues that people have raised, but at the end of the day, we must not only deliver a good service but also be able to deliver an affordable and good service for all Ontario. Certainly, LHINs are the solution to this very important point.

I also know, and I feel good knowing, that the local hospital boards will be able to not only make decisions for the local hospitals but also assist the LHIN bill to be a better bill.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm pleased to comment on the minister's comments on Bill 36. I think the minister is frustrated with the process, because Bill 36 has taken a long time. It really has taken a long time in terms of getting this before the House. In the agencies committee, we're still dealing with the appointments. This process is still a work in process.

The fact of the matter is that on the local decision-making that's supposed to come through the LHINs, you know when you read the bill—and to be up front—that the real power rests with the Minister of Health. That's strictly an interpretation right out of the bill. You can look at it either way, but the fact of the matter is that the final say with respect to health care in this province lies with the Minister of Health. He can't push it away by what he's saying in the debate, because it's in the bill.

The Liberal legacy certainly is paying more for health and getting less. Everybody knows the McGuinty health

tax led to a \$2,000-a-year tax on families in this province. We're not getting eye care, we're not getting physiotherapy care and we're not getting chiropractic care. Those things have all been removed.

What's going to happen with respect to dismantling? That's what's going on here: the dismantling of the health care system under Bill 36. What we're going to end up with is the three Rs: reduced hospitals, reduced health services and reduced health care workers. That's the agenda, and that's what's going to happen out of the LHINs.

You can't sit around here tonight and just do union-bashing and say, "This is the way it's going to go." People in this province have a right to have some input into this bill. This Legislature has to be relevant in terms of hearing the other side, because if it's not, then it doesn't work.

I'd like to hear what the Minister of Health has to say about our comments and whether we're going to have some relevant debate here tonight.

The Acting Speaker: The Minister of Health.

Hon. Mr. Smitherman: Here's what I'll say to the member from Barrie-Simcoe-Bradford about his comments when he talks about the Liberal legacy: I'll come to Barrie, where you put me in your householder because I did such good job on family health teams. How about the fact that MRI wait times in your community have already gone from 50 weeks, which we inherited from you, to something in the teens? How about the circumstance that we're moving forward with the regional cancer centre in Barrie? That will be our legacy there.

The member from Nickel Belt is on the same points, and she's wrong on both of them. We understand that fundamental accountability is ours. That's why we don't pretend to have given all of the responsibility to somebody else. We're sharing it. On election day, October 4, 2007, we will stand before the people and say, "Judge us on what we've done." The member from Nickel Belt speaks again about competitive bidding, but she doesn't address the fundamental reality, which is that the mechanism that she offered as a resolution is designed to make sure that every hospital in Ontario provides services at the highest cost possible. There is no incentive associated with it to provide services in an efficient way. That is the land of the dreamer, but it's not the land of reality and it's certainly not appropriate for a political party that was the government in our province for five years. They learned these lessons. They know you can't pretend that there aren't hard trade-offs, and yet they are pretending they way through this.

To the member from Kitchener-Waterloo, I would simply say this: Most people who are somewhat dispassionate and well-informed about the nature of the evolution of health care systems in our country would look to your time in office—not just yours as the longest-serving health minister in the Harris government, but to your time in office as a government, a time when you didn't make the right decisions and you certainly didn't take decisions for the future of health care.

On the issue of hospital closures, I will close with this: You certainly did good work there, closing almost 30 of them.

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The Acting Speaker: Further debate?

Mrs. Witmer: It's always interesting to listen to a minister who—I guess father knows best and cannot recognize perhaps that there are other political parties in the House who have made contributions to the evolution of health care in the province of Ontario.

Our government introduced initiatives in order to ensure that there were more doctors in the province. I'm pleased today that we're seeing more doctors, and that's a result of the initiatives that we introduced in order to make the process more accessible for international medical graduates, the expansions that we made to the medical schools. We were the ones who introduced 12,000 additional nurses in the province of Ontario. We were the ones who introduced primary care. All this minister has been able to do is take our family health networks, convert them and call them family health teams.

This government, despite what they say, is building on the very strong foundation that we put in place. In fact, if you take a look at the expansion of the cardiac centres, the cancer centres, the MRIs and the CAT scans in the province of Ontario—I take a look at my colleagues across the way—the reason that those new cancer centres are there and the reason those new cardiac centres are there is because of the initiatives and the funding that we introduced.

I know the minister likes to stand in his place and pretend that nothing happened before he got here, but the simple truth is that sometimes you have to be honest. You have to acknowledge that there were governments before you that actually did do good things, just as I would stand in my place and say to you that when the government under Bob Rae was here, they certainly moved the agenda forward in different ways.

What I feel very uncomfortable with today is that despite the fact that you might disagree with other people and their opinions, I do believe that this evening and throughout the course of the day there have been comments made that have been less than respectful to union members. The reality is that I think we in this House we need to respect the opinions of everybody, we need to listen to them, and when we're introducing motions in this House, we need to carefully consider those views that have been expressed.

No one party—not the Liberals, not the Conservatives, not the NDP—has the answers to all the problems, but I would certainly hope that by working together we can make this province and our health care system the best it can be. Nobody has a monopoly on all of the good ideas.

Now, let me get back to the bill that was introduced on November 24, 2005: Bill 36, the Local Health System Integration Act. This bill passed second reading on December 7, 2005, and at that time it was referred to the standing committee on social policy for consideration.

The committee did hold public hearings. The committee did participate in clause-by-clause. Regrettably, when we did clause-by-clause and even now, all of the Hansards are not yet available for us to review, and we didn't have in our possession a summary of all the recommendations for amendments. It is regrettable that that information was not there to help us in our deliberations.

I would also like to add that any and all of the amendments that we brought forward during the clause-by-clause were not amendments that we had created; they were all based on recommendations that we had heard from people in this province. We adopted union recommendations. We adopted recommendations from individuals, the health coalition in the province, hospitals and long-term care. If people had a good idea, and we thought that it was going to make the bill better for the people in Ontario, we were prepared to bring those amendments forward. Regrettably, the government did not accept many of them.

This is a huge, huge bill, and it is going to have an impact on 14 other acts. This bill, despite what the minister says and despite what the government says, gives more power, not to people in local communities, but exclusively and absolutely to the Minister of Health. In fact, I am sure that any Minister of Health anywhere in Canada would be happy to have that absolute power.

But there are 14 acts that are going to be amended: the Charitable Institutions Act, the Commitment to the Future of Medicare Act, the Community Care Access Corporations Act, the Health Facilities Special Orders Act, the Homes for the Aged and Rest Homes Act, the Long-Term Care Act, the Ministry of Health and Long-Term Care Act, the Nursing Homes Act, the Pay Equity Act, the Personal Health Information Protection Act, the Public Hospitals Act, the Public Sector Labour Relations Transition Act, the Social Contract Act and the Tobacco Control Act. I mention this to indicate the scope and the power contained within this legislation in that it is really going to have a totally huge impact on the face of health care, the institutions and the providers within the system.

I also want to make note of the fact that two of the acts I talked about, the Commitment to the Future of Medicare Act and the Personal Health Information Protection Act, were introduced by this government. The reason I mention that is because it just demonstrates the fact that this government does not have a plan for health care. When they brought forward those two acts in 2004, I think we can now see that they didn't recognize that they were going to have to make some further amendments to these acts.

I'm going to start by addressing some of the concerns we have heard ever since talk of LHINs started to surface. In fact, originally much of the conversation was about this secret health care agenda that was out there, because the government was planning this bill long before there was any opportunity for public, open, transparent consultation. Any discussions that took place, took place secretly. Then I want to go on and chronologically highlight some of the concerns with the bill.

I want to emphasize that the fact that they've already had to amend two of the acts they introduced, and that, as you go forward and take a look at the concerns around this bill, it really deals more with process than improving patient outcomes, underscores the fact that the government does not have a plan for health care.

What this does, and they need to be honest, is create a new level of bureaucracy. But they also need to be honest and recognize that, in essence, this new layer of bureaucracy doesn't have any real power. The power, as I said at the outset, remains with the minister. In fact, if you take a look at some of the legal opinions that some of the law firms have put forward, they talk about the fact that this expands the power of the minister.

We can also speak about the fact that they have no plan because most of the timelines for the creation of the LHINs have been missed, just as the timeline for the creation of the wait times website was missed. We still haven't seen a complete timeline for the implementation of this legislation. This government is very fond of making many announcements, some of them going to 2008, 2009 or 2010, but there is oftentimes no detail in the announcements. For example, recently they talked about new doctors. However, there's no timeline. There's no money going to communities. My community was supposedly going to be a satellite, and now we learn that there's no money for the physical structure. Again, our community is probably going to have to do fundraising. It's the same with the school of pharmacy and some of the other promises they made. It's great to come and make your announcement, but do you know what? The government's not providing any money and they're leaving it up to the local communities. We're not seeing any plans for implementation. We're not seeing some of the financial dollars following the commitments.

Also, these LHINs, I think we have to remember, are not much more than an advisory board to the minister. Again, they make recommendations to the minister and it is the minister who really is going to be continuing to make the real decisions. In fact, some people told us in the presentations that they believe decision-making is being further removed from local communities. That is a concern, and I think that is very, very important.

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We also know that there are huge costs involved with the actions of this government in that they are closing the CCACs. We understand that this may cost up to \$100 million. When we saw the leaked Management Board document, it speculated that the CCAC closures might cost \$50 million for severance, \$14 million in legal costs and \$25 million in wage harmonization. Of course, this doesn't take into account some of the costs that are associated with the delays in moving forward with these decisions. We also know that to close the district health councils cost about \$16 million, with \$11 million dollars in severance costs and \$5 million in physical plant costs. We know that costs have already been incurred as a result of reducing the size of the CCACs and closing the district health councils, but we are also now learning that

in order to replace what has been taken away with these LHINs, this is even more expensive for people in the province of Ontario. Estimates show that \$39 million was allocated for the LHINs in 2005 and 2006. Even though the ministry had requested \$52 million, at least Management Board sought to control the costs of the Ministry of Health and only gave them part of their request.

We also know that LHINs are going to have many more employees than the DHCs ever did, and unfortunately there's not a lot of difference. The minister still has a tremendous amount of power.

We have also learned, as a result of an FOI request, that as of October 31, 2005, LHINs at that time had spent more than \$3.8 million even before the legislation to create them had been introduced. Over \$2 million of this was spent on office furniture and design. We need to keep in mind the spending of taxpayers' dollars even before the legislation has ever been passed.

I also will tell you that we did ask to see copies of the contracts that had been entered into by the Ministry of Health and its agents with respect to the creation of the LHINs. Now, we were told that 98 contracts were signed with 44 companies. However, so much for what the minister calls transparency and openness: We were denied access to those contracts, those 98 with 44 companies. I just want to let the government know that we want to hold you to your word to be open and transparent, and we will be appealing that denial to see those contracts.

We also asked for a copy of the tender documents related to the contracts that had been entered into, and again the response from the ministry was, "For your information, the tendering process is under way. The deadline is not yet closed. The selection process has not yet started." I ask the government, if you have signed 98 contracts, how can you still be involved and say the process is still under way? What kind of process is being used? We asked for a copy of all correspondence relating to the contracts that had been signed. The response from the ministry was absolutely unbelievable: "Please note there is no correspondence."

I mean, talk about transparency, talk about openness; this is a government that does not want to keep any paper trail whatsoever. Are we to believe that there were no letters, no e-mails, no telephone calls that took place as these contracts were negotiated? I am sure that members of the government who are here this evening and are listening to this must be as appalled as we are. I have to underscore the fact that this certainly demonstrates the incompetence of this government in managing the health file. There is no accountability to the taxpayers of the province of Ontario.

During second reading debate I outlined some of the concerns that we had heard from health care providers and patients, including the fact that this legislation speaks about process, process, process. We don't hear about the focus on patients. In fact, when I tried to introduce amendments based on input that we got from those who appeared before the committee regarding patient out-

comes, I was told point blank, "This isn't about patient outcomes. It's about process."

We've heard from many people about the geographical size of the LHINs and the fact that this is not something that gives power to local communities. We heard about the lack of community involvement. We heard about the new bureaucracies that were being created. But I want to identify some of the specific concerns about the extensive powers that this bill gives to the Minister of Health and the ministry, because this has been a topic of concern over and over and over again. The government can stand here day after day after day and pretend that this gives power to local communities. In fact, the minister went so far as to say in the North Bay Nugget on February 7, "There is a whole new point of access for local communities. Where before they used to have to hope that their local MPP could get them a meeting with the Minister of Health to press their case, they can now press their case locally, including in the lineup at the grocery...."

I'm sure that the constituent in Mr. Murdoch's riding up in Owen Sound is going to find the chair of the LHIN, who maybe lives down on Lake Erie, in the lineup at the grocery store. I mean, folks, this is absolutely ridiculous. That South West LHIN has almost one million people. The chances of you seeing the chair of the LHIN in your local grocery store is absolutely absurd. Then take a look at the size of the Toronto Central LHIN: 1.1 million. Take a look at the Central LHIN: 1.5 million. For the minister to suggest that you're going to see the chair of the LHIN in your local grocery store is beyond absurd.

Let's go back to the extensive powers of the minister and the ministry. I'm quoting here from Fasken Martineau lawyers, their health bulletin of December 2005:

"A LHIN may integrate the local health system by: providing or changing funding to a health service provider ... facilitating/negotiating the integration of persons or entities or the integration of services between health service providers or between a health service provider and a person or entity that is not a health service provider ... requiring a health service provider to provide all or part of a service or to cease to provide all or part of a service ... requiring a health service provider to provide a service to a certain level, quantity or extent"

It talks about transferring services from one location to the other. So, you know, you might lose that local service. It might go to another community and it requires "a health service provider to carry out another type of integration of services that is prescribed ... requiring a health service provider to do anything or refrain from doing anything necessary to achieve any of the requirements set out above...." It goes on and on.

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It speaks about the fact that "A health service provider that receives an integration decision may, within 30 days of receiving a decision, make submissions requesting that the LHIN reconsider the decision." Then it goes on to state, and here's where the power of the minister comes into play, "The minister may similarly 'integrate' a local

health system by ordering a health service provider that receives funding from a LHIN to cease operating, dissolve or wind up its operations, to amalgamate or to transfer its operations and any property related to the operations affected by the order." You can see the tremendous powers that are given to the minister in this instance as far as the integration of local health service providers is concerned.

"It is important to note that LHINs are prohibited from integrating a local health system by requiring a health service provider to cease to operate, dissolve, wind-up or amalgamate." However, "Only the minister has the authority to render such an order." This is all and absolute power being given to the Minister of Health.

"The legislation further stipulates that a person or entity that is a party to an integration decision or a minister's order shall comply with it.... In the event that a LHIN has issued an integration decision or the minister has made an order and the person or entity that is a party to the decision or the minister's order fails to comply within the time specified in the proposed legislation, then the LHIN or the minister may apply to the Superior Court of Justice for an order directing the person or entity to comply. Under the act, while both the LHIN and the minister have recourse to the Superior Court of Justice for the purpose of enforcement, no such privilege is granted to a health service provider. The only option available to a health service provider that does not wish to comply with an integration decision or a minister's order is to request that it be reconsidered by the LHIN or by the minister, as the case may be."

Tremendous power, absolute power is being given to the minister under Bill 36. That certainly has tremendous implications for people in the province of Ontario. I think it's important that we remember the tremendous power of this bill.

There are some questions that are raised as we go through this transformation of our health care sector. For example, have LHINs been provided with the commensurate authority to exercise their responsibilities and satisfy their objectives? Has there been a true devolution of authority such that decisions about health care services should be structured and delivered within a particular community can be made locally? Has one of the public's most precious assets been returned to them, or has the minister effectively retained his ability to impose limitations on a LHIN's authority when a community's priorities do not fall within the spectrum of the minister's overarching plan?

I would suggest to you that despite some of these quotes that I have taken from the minister's speech at the Empire Club on November 25, 2005, regarding this devolution and returning these assets to the community—and we heard some of them this evening—I think any preliminary review of the legislation suggests that many and most of the minister's powers will remain with the minister. Indeed, he has more absolute power than ever before. While the LHINs are going to have the authority to implement changes to the health care sector, the scope

of their powers is limited, and any substantive systemic changes remain within the jurisdiction of any Minister of Health.

I want to move forward and also take a look here regarding Cassels Brock. They say: "The Ministry of Health and Long-Term Care proposes to give itself and local health integration networks (LHINs) far greater powers under Bill 36 than were previously granted by the ministry under (either Bill 26"—which this government ranted and raved about and were so upset about—"Savings and Restructuring Act) the Commitment to the Future of Medicare Act, 2004." It gives them more power "to restructure the publicly funded"—precious—"health care system without"—and I stress "without"—"cabinet approval." They go on to say it "also provides far greater powers under Bill 36 than were previously granted to the ministry under either the Savings and Restructuring Act"

So we see here proposed powers, they go on to say, which "would allow LHINs and the Minister of Health and Long-Term Care to restructure the publicly funded health care system." And it talks about the minister being able to exercise his authority by issuing integration orders.

It goes on to say: "If necessary, court orders could be sought to enforce LHIN integration decisions or minister's orders. LHINs and the minister could require health service providers to integrate services horizontally, vertically or by outsourcing the delivery of these services to the private sector."

You know, we hear all this talk about, "They don't support private, private, private, and John Tory does." Well, folks, you're not being very honest, because this legislation does speak to your ability to outsource the delivery of these services to the private sector. We at least acknowledge the fact that there should be one health system that is publicly funded that could be provided by both the public and the private sectors. You continue to hide behind the cloak that you don't support private, but certainly your actions demonstrate something else.

I spoke earlier about the fact that it was this government, despite the rhetoric, that decided to delist eye tests, optometry services, physiotherapy services and chiropractic services. In essence, you delisted, you created two-tier, and now, for some people, I can tell you, based on the letters I received, that change is creating hardship in Ontario.

I can also tell you, for some of these people who do not have the financial wherewithal to go and get an eye exam, it can mean that there are going to be eye diseases that develop that may cause them loss of sight in the future. So for a government that talks about health promotion and even creates a ministry and a minister devoted to health promotion, your actions demonstrate something totally different.

Also, you need to know, according to this legal opinion from Cassels Brock lawyers, that the minister can "unilaterally expedite the integration of a hospital's non-clinical services by transferring these non-clinical services to a prescribed person or entity on a prescribed date." There's the outsourcing.

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Let's now go through some of the issues that we heard. I would have to say that many people appeared before us. We received many, many submissions. People who knew about the bill—I guess that's the other issue of concern. Most members of the public are totally unaware of Bill 36. They really are not going to realize the tremendous power that is being given to the ministry, the government and the minister, and the implications of this power, until suddenly there is an integration of services and programs, there is the closure of a hospital.

I'll tell you, it is going to have very devastating consequences for people in some parts of this province. People could well be forced to travel miles and miles if services are removed from local hospitals. That could well be the impact, and that's when people are going to realize that there was a bill, Bill 36, that was passed by the Liberal government that is now, in their instance, decreasing their access to publicly funded health care. It's going to cause hardship for people in this province.

What were some of the top issues? People told us again and again that despite the rhetoric coming from the government side and the fact that this was going to improve and create access for communities, people did not see this bill as providing any vehicle for community engagement. This bill talks about the fact that it's going to move toward enabling communities to determine local priorities, and we certainly asked for some amendments to the bill. In fact we had many, many people say to us, "We want to see the process that they're going to use for engaging the local community." But there wasn't any process whatsoever.

The city of Toronto was one of the groups that came forward, and again, there is no formal process. People want to know what the process is. We need to have a process that will, as the minister is so fond of saying, allow local input to the decision-making. Certainly, I think the creation of a community advisory board was one of the ways we heard that the government could demonstrate its commitment to ensuring that LHINs would hear from and respond to local needs. However, that amendment for the creation of a community advisory committee, which some people had asked us to put forward, was rejected by the government, regrettably.

We also asked that a local health professional advisory committee be appointed and that there would be at least one member from each regulated health profession on that committee. That type of amendment was requested by the Ontario Hospital Association, the Cardiac Care Network, the Ontario Long-Term Care Association, Bloorview MacMillan and also the city of Toronto; again, the same response. There was certainly a lot of effort made to somehow move and involve the community and develop a process for input which would move us toward at least having a vehicle that would allow for this access.

There were people who spoke to a need that there be an ability to appeal decisions of the LHINs. We moved that there be a section added to the bill whereby a party to an integration decision or a member of a community

affected by an integration decision may appeal the decision by following the prescribed process. The Registered Nurses Association of Ontario wanted this. They said that while the flexibility to meet a community's different requirements is desirable, explicit parameters for community engagement should be set out in the legislation, and also there should be the ability to appeal decisions of LHINs.

Unfortunately, this bill does not allow for any appeal process on the part of the communities. So whatever hammer the minister or the LHINs bring down, there is simply no opportunity for an appeal process. Again, I think it speaks to the tremendous power of the minister and of the LHINs.

Mr. Richard Patten (Ottawa Centre): Like the restructuring commission.

Mrs. Witmer: Actually, when we had the restructuring commission, if you remember, we were very open. It was a very open process. We appointed a committee. We had Dr. Duncan Sinclair chair the committee. They travelled throughout Ontario. They made decisions and, if you remember, announced their decisions. There was an opportunity for community input and oftentimes there were changes made to the recommendations of the restructuring commission before a decision was made to move forward. In many instances the original recommendations or orders were substantially changed.

Obviously, that was an attempt to ensure that we provided health services efficiently and effectively. That's what allowed us to build the new cardiac centres and the new cancer centres. That was the restructuring commission that recommended new emergency rooms for almost every hospital in Ontario. In fact, I know the member from Ottawa or from Hamilton or from Brantford or from Kitchener–Waterloo—we have brand new expanded emergency rooms in hospitals throughout the province. That is very much the legacy of the Health Services Restructuring Commission. It was to make sure that the population of today had the services that were needed to meet the needs. That's why we built so many new cancer centres, cardiac centres and dialysis centres—we recognized that the incidence of diabetes was increasing.

That process, I would say to you, was a very open process. This process has been much more secretive. In fact, we don't really know what the process for community engagement is going to look like.

We asked the question, what will community engagement look like? Cassels Brock says, "The actual extent to which communities will be involved and consulted"—although it's referenced in Bill 36—"... the details of that engagement are left to be addressed by regulation at a later date." They go on to say, "Given that the ministry's stated purpose for introducing Bill 36 is to move towards community-based care and to enable communities to determine local priorities, this matter"—meaning community engagement—"should be dealt with in the legislation and not left to the less scrutinized regulation-making process." For example, they say who makes up

the community and what community engagement should look like should be front and centre in Bill 36, and it is not.

When we took a look at what was being said, there was a lot of concern about the issue of reconsidering decisions made by the minister or the LHINs. Again, we introduced a number of amendments. All these amendments came from those people who appeared in front of the committee or sent us submissions. They suggested that the 30-day period was too short, and we did introduce several amendments that would have extended the timeline for reconsideration to either 60 days or 90 days, as was the case. That amendment was requested by the Cardiac Care Network. It was requested by the Association of Ontario Health Centres as well. The Ontario Hospital Association and the Bloorview McMillan Centre also spoke to that. The Canadian Hearing Society also wanted us to make some changes to the legislation.

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So there was a lot of concern about the short timeline of 30 days for reconsideration of decisions, which at the end of the day could mean the closure of local health services, which would have a tremendous impact on people in that community. Not only would it have an impact on those who received the services, but it would have an impact on the people who are delivering the services, who would either be transferred to another place or might lose their jobs altogether. But any attempt that we made to extend the reconsideration period was voted down by the government. They stated that 30 days was a sufficient time period for health service providers to secure community reaction to the decisions of the LHINs and the minister, and certainly that was considered too short a period of time by most people.

Now I want to take a look at section 28. We had a lot of input, a lot of concern expressed about the integration powers of the minister under section 28. That is an important section. People came forward and expressed concern about section 28. They expressed concern about the ability of the minister to shut down not-for-profit providers. They said it's unfair, that it treats not-for-profit and for-profit providers differently. They said the minister shouldn't have this arbitrary power. Again, the government was not totally responsive.

Granted, the government has put in some protections for municipalities and long-term-care homes, but I remain concerned about the implications of this bill for those operators that are not currently defined as providers under subsection 2(2) and that might some day be prescribed as such through the minister's regulatory powers. Again, I guess that's what is the overriding concern in this piece of legislation: Anything can happen through regulation, and so the powers of the minister could be expanded. The minister does have the power to shut down health service providers, both for-profit and not-for-profit, and the minister voted down our amendment to remove the power to close both not-for-profit and for-profit health service providers. Certainly we were disappointed, as I know were many of the stakeholders.

People who wrote to us about this particular section and expressing concern included the regional municipality of Waterloo and St. Joseph Health Care in Sudbury. CHEO expressed concern, and the Cardiac Care Network. There were just a lot of people who expressed concern about the power of the minister.

Other people who appeared before us and had a lot of concerns were organizations such as the Canadian Mental Health Association. Again, they wanted changes made to the legislation which were not always accepted. What the Canadian Mental Health Association, the Centre for Addiction and Mental Health and the Ontario Federation of Community Health and Addiction Programs wanted was for the provincial strategic plans to include provisions on mental health and addiction services to ensure that they are included at all times. They have a CAMH study from March 2005 which shows that mental health and addictions is a particularly vulnerable service sector, so they wanted, specifically, a provision that recognized mental health and addiction services to be included in the provincial strategic plan. Unfortunately, that was rejected by this government.

We know that all too often when people in this province talk about health, they are only focused on physical health. We support the arguments that were put forward by the Canadian Mental Health Association, the Centre for Addiction and Mental Health, and the Ontario Federation of Community Health and Addiction Programs. We believe very strongly, and support their request, that provincial strategic plans must include provisions on mental health and addiction services to ensure that they are included at all times. Most of us know that the incidence of mental health problems continues to increase. It's creating a tremendous amount of pressure on the health care system and certainly is contributing to a lot of absenteeism in the workplace. It is important.

Now, the long-term-care group wanted the inclusion that this provincial plan would deal with the whole issue of long-term-care programs. They wanted some amendments made that said the provincial strategic plan shall provide that the minister is accountable for the delivery of core long-term-care programs and shall ensure that the centralized means by which concerns related to long-term care may be brought to the attention of the ministry is continued and that each local health integration network take all appropriate steps to ensure that concerns related to long-term care are referred to the ministry. Again, these amendments were requested by the Ontario Long-Term Care Association, Yee Hong, Hospital for Sick Kids, OHA, the GTA/905 Health Care Alliance, certainly the Noojimawin Health Authority, and the Cardiac Care Network. Again, people were looking for some more specifics. They really didn't want everything left to regulation. There's a lot of concern about the powers of the minister, the ministry and the LHINs, and they want to make sure that their programs, their services are protected and recognized.

In fact, it was brought to our attention that in other provinces where they have attempted to devolve the

accountability, it has resulted in variations to the basic programs and there are different levels of financing. They have now learned that when you devolve accountability, in some of your programs it will mean that some people in some parts of the province are not served as well as others. In fact, the provincial auditor in Alberta, last year, in 2005, questioned these variations in the basic long-term-care programs in the province that were offered through their local health authorities. As a result of that questioning, the Alberta Ministry of Health and Wellness today has restated its role in setting province-wide standards. We also know that Monique Smith, the PA to the Minister of Health and Long-Term Care, in her 2004 report on long-term care, recommended a central direction for a renewed compliance program.

We were disappointed that the government did not learn from either Monique Smith's report or from the experience of our neighbours in Alberta and not do the same thing. There was a request, as I say, to continue with the existing centralized complaints process for the LTC, and they wanted it to be maintained.

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Again, on the whole issue of savings, some individuals wanted recommendations, which we did put forward, that LHINs would not be required to give back their savings to the minister. However, the minister currently can take the savings from the LHINs. So, again, a comment was made that maybe this is a way to reduce costs in the health care system, and you know, there were some who suggested that perhaps the reason for the introduction of the LHINs was to decrease the level of funding for health care in the province. If that's the case, the government should have indicated that that was one of their objectives, rather than continuing to tell us this was all about giving control to local communities.

Some of the people who wanted some changes made here, again, were the GTA/905 Health Care Alliance. They were concerned that the minister was able to remove any financial savings achieved by a LHIN, and they wanted the LHIN to be able to keep those efficiencies and better serve patients in that community.

So what else did people bring forward to us? They were looking for a definition of "public interest." Again, we had the Ontario Hospital Association, the Canadian Hearing Society, GTA/905 Health Care Alliance—a lot of people—looking for some sort of definition of "public interest." I You might be interested to know that there is absolutely no definition of "public interest" in this bill as it's currently written, and the interpretation of "public interest," regrettably, is going to be left up to the LHINs and the minister. The definition that our stakeholders, those presenting before the committee, recommended would be one that would have been similar to that which appears in both the Public Hospitals Act and the Commitment to the Future of Medicare Act. However, again, it was not accepted.

I could go on and on about powers and the minister. There's so much in here about the powers of the minister; it's unbelievable. If you take a look at what is written

here—I've made the point that, despite the comments that have been made by the government about this being a bill that devolves decision-making, dissolves authority to the members of local communities, I think we do know that that is not the case. In fact, that was again something that was raised during the discussion on the bill, and that is the size of the LHINs.

If you take a look at the geographic size, the population size, they talk about these LHINs having some sort of community of interest being based on hospital referral patterns, but we heard from many presenters that, really, in their instance, in their community, they would be moving into a different area compared to where they had been going before. So they certainly could not support the government in what they said about the whole issue of moving into networks where you could be served based on referral patterns.

There was an interesting amendment that came forward from the city of Toronto. I will tell you, the city of Toronto probably had as many concerns about the LHIN legislation as any other municipality within this province. Again, they were concerned about the unprecedented power, but they were also concerned about the fact that the city of Toronto was divided into five LHINs and that only one of them, the Toronto Central LHIN, is fully within the boundaries of the city. The other four LHINs that serve people in Toronto, as you may or may not know—as I said at the outset, not many people really even know that this bill is being debated in the House—reach far out beyond the borders of Toronto. In fact, you might be interested to know that the central east LHIN reaches from Victoria Park Avenue in Toronto to Algonquin Park. So for the government to suggest that it's based on referral patterns or that you're going to see the chair of the local LHIN in the grocery store is absolutely absurd. It's also absurd to think that the health care concerns of the people of Scarborough are going to be the same as the health care concerns of some of the people living on Oxtongue Lake.

The city of Toronto wanted the government to reconsider. First they asked if the government would consider creating one LHIN. That was rejected. Then they wanted the government to set up a collaborative board for all five Toronto area LHINs to ensure that they at least worked together in concert and that city-wide issues could be properly brought to the attention of this collaborative board and addressed in response to the needs of the people in the city of Toronto. Again, those requests from the city of Toronto were totally defeated.

There were other amendments that spoke to providing guidelines for the LHIN boards regarding composition. There were requests made that the LHIN boards should have municipal representation, that children's issues were addressed, that the diversity of the community was accounted for, that people who were selected had the appropriate qualifications. Again, these were amendments that we were asked to bring forward on behalf of the presenters, and the government voted those down.

Mr. Patten: Is there anything you like, Liz?

Mrs. Witmer: We were trying to be responsive to the requests of the people who appeared before the committee, and when people take the time to make a presentation, our role as an opposition party is to make sure that we do respect it.

I think you can see that this has been a process that has not been open; it's been quite secretive. Certainly it demonstrates that the government doesn't have a plan. They have missed timelines. The legislation is flawed. I think we could see that in the committee as well. Despite the efforts of many, many individuals, there was little in the way of changes that were made.

However, I want to express my appreciation to the committee clerk, Anne Stokes, and to the clerk's office. There were many, many amendments that were introduced, as I say, in response to those who made presentations. I know they had a hard time keeping up with the volume of depositions and amendments. They worked very hard; they worked in a very professional manner. I believe that in this House we are very well served by individuals such as Anne Stokes and the clerk's office. I also want to congratulate the Chair, Mr. Racco. I think he handled himself in a very professional way as well.

I would just conclude my remarks by saying that certainly this bill is far removed from what the government claims it to be; that is, a vehicle to devolve health care decision-making to the local community. There is absolutely no process for engaging the community. There is no avenue of appeal for the community when a decision is made by the minister or the LHIN. This is all about giving absolute power to the minister, the ministry and the government.

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The Acting Speaker: Questions and comments?

Mr. Michael Prue (Beaches–East York): It is indeed an honour and a privilege to give a couple of minutes here. But before I do, I would like to commend those who are in the gallery this late at night. I'd like to commend all of you for coming out here tonight. I know that most of you are employed in the hospital sector and care very much for all of the people who are going to be impacted here. That's what brings you out on a night when you could be watching the Olympics or when you could be at home with your loved ones, your family and friends. You're out here to see what this government is going to do to you and about you and your workplace. I have to tell you, you're probably very disappointed people, to be out here tonight knowing what this government has planned, knowing that the minister can force integration, knowing what the minister can do in terms of this bill that is going to affect your everyday working lives.

This bill will facilitate privatization, and that's why we New Democrats are going to be voting against it. That's why we're in disagreement. I'd like to commend the member from Kitchener–Waterloo, even though we're from a different party and even though our philosophies might oftentimes be at loggerheads and distant from each other. She has hit many of these same points.

This bill will allow and will force a hospital—even a hospital and a board of directors that doesn't want to do it—to outsource. That is why we oppose this. That is why, I'm sure, many of you are here tonight. I commend you, and I want you to keep the pressure up. We need to change some of what is contained in this bill.

Last but not least, I'd like to commend the member from Kitchener–Waterloo for talking about the central east. The size of that LHIN is absolutely beyond bizarre. As I've said in this Legislature before, my parents live near Bancroft, which is a number of miles south of Algonquin Park, and they are in the LHIN immediately adjacent to me. It's just too bizarre; beyond words.

Ms. Jennifer F. Mossop (Stoney Creek): The LHIN just referred to is considerably smaller than the one LHIN we now have, which is the entire province of Ontario, the chair of which is the minister. The member from Kitchener mentioned that she is worried she won't run into her chair at the grocery store, but I doubt you see the chair of the present LHIN in your grocery store very often.

These are disturbing arguments, but what disturbs me the most are the conversations I have been having with my constituents recently, who have been fearmongered, who have been told that they are going to lose their jobs. They've had phone calls at their homes, told they must get out to rallies because they are going to lose their jobs. They are worried. They're lying awake at night. They have been filled with horrible thoughts. It is fearmongering of the most reprehensible type.

We are trying to create a system that breaks it down and has more responsive community decision-making. The woman who is in charge of our LHIN, the person who was appointed the chair, is one Juanita Gledhill, who is a passionate advocate of home care, a passionate opponent of the CCAC-RFP model, and that's the reason we chose her. She understands the need for responsive community public health care.

Interjection.

Ms. Mossop: Competitive bidding happened at St. Joseph's Health Care Centre in Stoney Creek. They were able to compete within the public system because they had a better price for cataract surgery. We have excellent cataract surgery happening at St. Joseph's, where there were two state-of-the-art rooms that were not being used and weren't being funded. Now they're both operating, because they bid and they got that contract. It's in the public health care system.

Collective bargaining has never been more respected by a government than by ours. The teachers, public service sector, the doctors—

The Acting Speaker: Thank you very much. Further questions and comments? The member for Durham.

Mr. O'Toole: I'm surprised by the member from Stoney Creek, but I won't digress. There's time to learn many things, and I think she should refer to an article in the Sudbury Star dated February 18. I'll quote this article, which says, "This model is currently used for home care in Ontario. Community care access centres ... are given budgets by the ministry, and they tender contracts...." So,

in fact, the model you're introducing with Bill 36 is clear. Read that article. This article is worth referring to.

It says here, "LHIN boards have also been given the directive to transfer, merge or amalgamate services and operations, as well as start or cease services. In section 33 of the act, for example, the LHINs under ministry orders will have to transfer non-clinical services (i.e. food, cleaning, housekeeping, laundry) out of hospitals and to other persons or entities (i.e. private companies)."

Clearly, that's what the bill says in section 33, and there are several sections.

I want to compliment our member from Kitchener–Waterloo, who knows this file and speaks with sincerity and genuineness.

Many people here tonight would know that there are 14 district health councils in the Ministry of Health that were empowered already to do the planning for health. The Ministry of Health also had district offices that dealt with the planning and interface with government and public boards in the hospital sector today.

In fact, this is a very long discussion that Elizabeth Witmer knows very well, and I'm surprised some of the debate here tonight doesn't transfer much of the history of this debate from the NDP study, which was called the Acute Care Study, which started to look at capacity in Ontario. That study ended up being the formation of the Health Services Restructuring Commission, which ended up in this bill here. We did not do what you're doing, for the very reason that it shouldn't be done.

Ms. Martel: In response to the concerns raised by the member for Kitchener–Waterloo, I want to pick up on her comment about how silly it was for the minister to suggest that you can run into your LHIN chair in the grocery store—silly from the perspective that my LHIN board chair lives about seven hours away from where I live, but silly from the perspective to suggest to the public that your LHIN board chair might actually be able to do something about your health care concern. The fact of the matter is all of the health policy—health legislation, health regulations that are now in place that affect people's ability to get services—is not going to change. The LHIN has no responsibility, no control and no authority to change any health policy, regulation or legislation now that impacts on people's access to gain health care services.

Let me give you two examples in my riding this week. We have a woman who comes in because she can't afford to pay for her eye exam. Should she run into the LHIN chair, who lives in Kapuskasing, in the grocery store and tell about this, the poor LHIN chair is going to have to say, "Sorry, there isn't anything I can do about your health care problem, because it was the Liberal government of the day that delisted eye exams."

Secondly, a constituent came into our office this week who needs a pain pump to manage the after-effects of his cancer. It's not covered by the assistive devices program. It's not covered by the CCAC, unless he is in a palliative state, which he is not. So if he had the opportunity to run into the board chair, who lives in Kapuskasing, seven

hours away, and talk to her about this, you know what she'd have to tell him? "Sorry, there isn't anything I can do about your health care problem, because our LHIN has no ability to change the policies of the assistive devices program and no ability to change the regulation policy at the community care access centre."

That's what's so dishonest about the minister trying to tell people that these decisions are now going to be made close to home. The minister continues to make all of the legislative policies and regulations that affect people's health care every day, not the LHINs.

The Acting Speaker: That concludes the time for questions and comments. I'll return to the member for Kitchener–Waterloo. You have two minutes to reply.

Mrs. Witmer: I want to thank the member from Stoney Creek for her passionate two minutes—

Mr. John Wilkinson (Perth–Middlesex): Soon, Liz.

Mrs. Witmer: Soon?

Mr. Wilkinson: Soon.

Mrs. Witmer: Okay.

Interjection.

Mrs. Witmer: You too?

Interjection.

Mrs. Witmer: Not you?

Interjection.

Mrs. Witmer: Thanks.

—the member from Beaches–East York, the member from Durham and the member from Nickel Belt.

It's obvious that for many people in Ontario, Bill 36 is certainly a piece of legislation that does not do what it is purported to do; that is, give any real control or any real authority to improve patient access to services, to improve patient outcomes. What this bill is all about is setting up another hierarchy. A tremendous amount of money is being spent. There's a lot of rhetoric about this devolving power to the LHINs, but at the end of the day, when we take a look at the legal opinions, when we take a look at the concerns that have been expressed by people throughout this province, we learn that the real power is going to remain with the minister, is going to remain with the ministry and is going to remain with the government.

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The other thing we have to fear is the fact that so little is contained within Bill 36 in terms of any process for community involvement, any process of appeal, any definition of the public interest. Much of it is going to be left to regulation, and regulations are sometimes developed in a very secretive manner. There's absolutely nothing that we in the opposition can do. I hope this government has heard the concerns of people throughout the province, whether it's hospitals, the coalition, the different unions or individuals. Listen, please, and if there's a chance to make more changes, do so.

The Acting Speaker: Further debate?

Ms. Martel: I want to begin my remarks tonight by thanking those in the gallery this evening for being here to hear the comments being made. I recognize that a number of you were at the public hearings, and I want to thank you for participating in those. For those other

people who aren't here tonight but did participate in the public hearings, either for or against the bill, I appreciate that too: those who were in Toronto, Thunder Bay, London and Ottawa as well.

The NDP voted against this bill on second reading, and what we heard during the public hearing process reinforced for me even more why we were right to do that. We, as a result of listening to what people had to say during the course of the public hearings, introduced some 50 amendments. The government accepted one. I'm going to talk about that later on, or maybe tomorrow afternoon, but people should know that the amendment they accepted was an amendment that was in a Liberal private member's bill regarding the criteria around which you have a closed public meeting of a LHIN. It would have surprised me greatly if the Liberals had not accepted that particular amendment since it was directly taken from Ms. Caroline Di Cocco's private member's bill, the Transparency in Public Matters Act, 2005. That was the only amendment they accepted from the NDP. It's good to have a little context around what it was and why I think the government accepted it in the first place.

Nothing in the clause-by-clause altered the government direction, so I'm going to use the time on third reading to reinforce the concerns we heard during the public hearings.

Before I do that, I want to thank David Halporn from legislative counsel, who made tremendous efforts to get our amendments done. He worked overtime to do that, and I just want to take a moment to thank him for doing that.

Tonight and tomorrow I'm going to focus on the following six areas:

First, the power of the LHINs, minister and cabinet: I want to point out that the power of the LHINs that I'm referring to is not a power to change government policy, regulation or legislation, because they can't do that. It's the power to amalgamate services, shut down services and/or transfer services, which is a very dangerous power for them to have.

Secondly, I want to talk about section 28 of the bill regarding the powers the minister has to integrate services, powers that we heard directly from counsel of the Ministry of Health—you yourself asked the question at committee, Mr. Speaker—are more significant than the Minister of Health in the province of Ontario has ever had before.

Thirdly, section 33 is the section that allows outsourcing—privatization—of non-clinical hospital services. That's very clear in the bill. A number of Liberal members should actually read section 33, and then they'd understand what we're saying.

I want to talk about competitive bidding and how the government, when the rubber hit the road, refused to support my amendment that would have prohibited competitive bidding. I'm going to put into the record what the minister had to say during the course of the public hearings about competitive bidding, what many other people had to say about how destructive this has been in

home care, and then point out the absolute refusal of all but one Liberal member to vote in favour of a amendment that would have prohibited competitive bidding in all those other health care sectors that are now going to be the responsibility of the LHINs.

I'm also going to take a little bit of a look at the concerns of First Nations and francophones.

Finally, I'll go through some of the amendments that were turned down by the government.

Let me deal first with the power of the LHINs, the minister and cabinet. Mrs. Witmer talked about a legal opinion. I've seen four different ones. The one I'm going to quote from tonight, though, is from Sack Goldblatt Mitchell. It's rather long, but I really want to give people some third-party validation of some of the concerns we raised and that were raised during the course of the public hearings. So bear with me as I read into the record a number of the points that have been made by this legal firm about this bill.

"The bill purports to acknowledge that 'the community's health needs and priorities are best developed by the community health care providers and the people they serve' and purports to localize the provision of health services by 'enabl[ing] local communities to make decisions about their local health systems.'

"However, in fact, the act grants very little if any real power to health care providers and consumers to make decisions about the health care system. Rather, it transfers control over local community-based health service providers to the minister and cabinet, and to their agents (LHINs), thereby centralizing, rather than localizing, control over health services in Ontario. In this respect, the bill grants unprecedented authority to the Minister of Health and cabinet to effectively control virtually all facets of the services provided by health service providers (other than physicians and certain other professionals) and to completely restructure the way health services are presently provided.

"Moreover, the LHINs established by the legislation are local in name only, and are effectively controlled by the provincial government. By granting government, and the LHINs they appoint and control, extensive restructuring powers, the proposed legislation would, if enacted, enable the government and their agents the power to fundamentally restructure the health care system, including privatization of significant components of the health care system.

"In this respect, there are no provisions in the bill which ensure, require or even encourage LHINs, the minister or cabinet to preserve the public, not-for-profit character of our health care system. Indeed, it appears that these bodies would now be armed with the legal authority to privatize large swaths of our historically publicly delivered health care system."

The first point: "LHINs are controlled by the government

"Section 1 of the act describes LHINs as being charged with the 'management of the health system at the local level.' In fact, LHINs are nothing more than

creatures of the provincial government, effectively controlled by it, established for the purpose of implementing government policy at a local level. For example,

"(1) Cabinet may create, amalgamate, dissolve or divide a LHIN.

"(2) LHINs are governed by a board of directors appointed by cabinet and remunerated at a level determined by cabinet. The government and not the" LHIN "board of directors determines who will be the chair and vice-chair of the LHIN.

"(3) Even after their appointment, the board ... has no independence from government. Every member continues on the board at the 'pleasure' of cabinet and, as such, may be removed at any time without cause. Further, their reappointment is entirely dependent upon cabinet. As a result, it can be expected that the government will be able to exercise significant control over the LHINs. Cabinet is also given the power to create additional LHINs or to amalgamate or to dissolve existing LHINs.

"(4) The only members of the LHIN non-profit corporations are government-selected directors. This distinguishes LHINs from other community-based non-profit corporations (including, for example, public hospitals) which are comprised of, and accountable to, a broadly based membership.

"(5) A LHIN is explicitly defined as an 'agent of the crown,' i.e., it acts on behalf the government.

"(6) Each LHIN must enter into an 'accountability agreement' with the ministry that covers, among other things, its performance goals and measures and a plan for spending the ministerial funding that it receives. If a LHIN and the ministry is unable to successfully negotiate an accountability agreement, 'the minister may set the terms of the agreement.'

"(7) LHINs are funded by the ministry 'on the terms and conditions that the minister considers appropriate.'

"(8) While LHINs may fund health services providers, the funding must be 'in accordance with government requirements, including the terms of the funding that the LHIN receives from the ministry, terms of the accountability agreement by which it is bound to the ministry, and any other requirements which cabinet may prescribe.'

"(9) While each LHIN is to develop 'an integrated health service plan' for the locality over which it presides, this plan must be made 'within the time and in the form specified by the minister' and be 'consistent with a provincial strategic plan' that is developed by the minister."

These folks aren't accountable to the local community at all. They are beholden to the government of the day, which appoints them.

The second item to deal with: "LHIN powers and control over health service providers

"The bill vests LHINs, as agents of the ministry, with an unprecedented degree of control over the structure of health service delivery in Ontario, which is in many respects even more far-reaching and intrusive on local decision-making than was the case with the Health

Services Restructuring Commission established by the previous Conservative government.

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"The 14 LHINs previously created by the Liberal government are continued, but now established under statute, for the purpose of planning, funding and integrating the local health system. The term 'integrate,' as defined in the act, covers a very broad ambit of activities and includes coordinating services; creating partnerships with other persons or entities, whether public or private, not-for-profit or for-profit; transferring, merging or amalgamating services, operations, persons or entities; starting or ceasing to provide services; and ceasing, dissolving or winding up operations."

These are the broad new powers that we are giving these folks, not any power to change a regulation that might actually help someone get through the assistive devices program. No, let's give them the power so that they can cease, dissolve, wind up or transfer operations of one provider to another.

"LHINs are charged with the 'integration' of health services in Ontario. The legislation envisages that integration under the auspices of the LHINs may occur either through voluntary integration agreements among service providers, which may or may not be service providers" under the act, "or through compulsory integration decisions made by the LHINs. Since the LHINs are authorized to integrate health systems by providing or changing funding, it can be anticipated that many voluntary agreements will be facilitated by either promising or withholding funding from health care providers in order obtain 'voluntary' integrations.

"LHINs are given the power to facilitate voluntary integration agreements and the power to veto voluntary integrations. Thus, while a health service provider may 'integrate its services with those of another person or entity' without the involvement of its LHIN, the LHIN may order a health service provider not to proceed with an integration. LHINs may also 'facilitate and negotiate' certain integrations.

"In addition, the LHINs are given the power to issue compulsory integration decisions requiring health care providers to whom it provides funding to: 'to provide all or part of a service or to cease to provide all or part of a service; to provide a service to a certain level, quantity or extent; to transfer all or part of a service from one location to another; to transfer all or part of a service to or to receive all or part of a service from another person or entity.' The bill also allows cabinet to promulgate regulations defining other types of integrations that may be carried out by the LHINs." That is, if we didn't cover the waterfront already for any other possible example that there may be out there, then you can do it by regulation.

"In addition, whatever professed limitations there may be on the power of the LHINs, section 36(1)(c) of the bill empowers cabinet to make regulations exempting a LHIN (or, for that matter, a health service provider) from any provisions of the legislation, which effectively means that whatever specific statutory limits are placed on LHIN

authority can be eliminated by regulation enacted without any public debate. Thus, for example, while the legislation precludes LHINs from ordering a hospital to shut down, this limitation on LHIN authority can be removed by cabinet."

Finally, "Furthermore, it is apparent from the bill's consequential amendments to the Commitment to the Future of Medicare Act, 2004, that LHINs may enter into 'accountability' agreements with a health service provider that govern virtually all of the terms of the health service provider's operations, including its overall goals, 'value for money,' accessibility of services, human resources matters and 'any other matter' that cabinet prescribes by regulation. LHINs have broad powers to enforce compliance with accessibility agreements through various methods, including the withholding of funding from the health service providers."

I wanted to read that into record. I know it was long, but it is important to put a legal perspective on what the bill really does. As I said, that's one of four legal interpretations of the bill that I've seen. None have been complimentary to the government, and all have focused on new powers of the minister to force integration, the power that the minister has to outsource privatized services under section 33, and the new powers that the LHINs have to facilitate operations shutting down, ceasing, being forced to amalgamate and being forced to transfer as well. So none have been very complimentary, and all have been very concerned about the very significant new power that the minister, the cabinet and the LHINs now have under this legislation.

Let me deal with section 28, which is the section that deals with integration by the minister. We heard from a number of presenters that this section enables new powers for the Minister of Health. Frankly, we had that confirmed for us by Ministry of Health staff during the course of clause-by-clause consideration. When a very specific question was raised by the Speaker, who is in the chair tonight, about whether or not this bill provided new powers, they were forced to say yes. They tried to clarify that by saying, "We're putting it in some kind of framework so we can have a way to maybe massage or manage what those new powers are," but the fact of the matter is that they were forced to admit very clearly that there are new powers given to the minister under this bill.

Let me go through what the minister can do again:

"28(1) After receiving advice from the local health integration networks involved, the minister may, if the minister considers it in the public interest to do so and subject to subsection (2), order a health service provider that receives funding from a local health integration network under subsection 19(1) and that carries on its operations on a not-for-profit basis to do any of the following on or before the date set out in the order:

"1. To cease operating, to dissolve or to wind up its operations.

"2. To amalgamate with one or more health service providers that receive funding from a local health integration network under subsection 19(1)....

"3. To transfer all or substantially all of its operations to one or more persons or entities...."

What did some of the people who came before us have to say about this section?

This is from the Registered Practical Nurses Association of Ontario. In their brief, they said the following: "The RPNAO believes that if the government wants to live up to its commitment of preserving a truly publicly funded health care system that is both transparent and accountable, section 28 should be deleted."

This is from the physiotherapy association, which made a presentation to us: "Quite frankly, we prefer to have section 28 deleted. The powers are far-reaching and we are not convinced they are required. Section 26, in our view, is quite enough. The existence of section 28 will hang over the not-for-profit health care sector as a sword of Damocles and will be tremendously destabilizing."

This from SEIU, Local 1.0n: "If hospitals are not to close under Bill 36, why does paragraph 28(1)1 state that the minister may order a health services provider 'to cease operating, to dissolve or to wind up its operations'?" That's a very good question. I don't think the government has an answer for that.

This came from a joint presentation by the Canadian Mental Health Association, CAMH and the Ontario Federation of Community Mental Health and Addiction Programs: "Under section 28, on advice from a LHIN, the Minister of Health and Long-Term Care can order certain health service providers that receive funding from a LHIN and are not-for profit entities to cease operations. This power is extraordinary, given that most health service providers do not rely solely on public funding. We object to the power of government to order an organization to close.... We recommend that the power of the minister to order an organization to close be deleted."

We also heard, in the same presentation, the woman who made the presentation for CAMH, one Gail Czukar, who we found out, during the course of questions, used to write policy for the Ministry of Health in a former life. In questioning about this particular section—about the bill in general—she made it very clear that as a person who formerly wrote policy at the Ministry of Health, this bill contained excessive powers, more than we have ever seen vested in a minister or in cabinet before. This was someone who, on the public record, admitted she used to work for the ministry, used to be developing policy for the ministry in a former life and could say with great confidence to the committee that this bill contained excessive powers, powers to the minister that we have never seen before in the province of Ontario.

The minister said that the opposition—I'm not sure if he was talking about both opposition parties—moved some amendments. I can tell you we didn't. We didn't move any amendments because this whole section should be deleted, and that's what we suggested should be done. When it came to the debate on this particular section, I talked about what I had read in Sack Goldblatt, I talked about the concerns that had been raised by CAMH,

talked about some of the other presentations that had been made, and said, "That section can't be fixed. That section should be deleted in its entirety. We should not be giving this Minister of Health or indeed any future Minister of Health the kinds of excessive powers to force integrations, to force organizations to cease and desist, to force the transfer of organizations that appear in this bill. Nobody should have that kind of power, and we shouldn't be supporting it." I encouraged all members of the committee to vote against section 28 in its entirety.

Needless to say, the government didn't do that. The government tried to amend what is already a very bad section. Regrettably, most of the powers of the minister that were referred to as concerns during the course of the public hearings remain in place.

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Let me deal now with section 33, which deals with integration by regulation. This is the section that clearly provides cabinet with the opportunity to contract out non-clinical hospital services or to increase privatization of health care services. That was confirmed by a number of presentations made to the committee. I'm also going to tell you what Sack Goldblatt had to say specifically about this particular section in their legal opinion:

"As set out more fully below, the bill also allows cabinet to order any public hospital (or the Ottawa Heart Institute) to 'cease performing any prescribed non-clinical service and to integrate the service by transferring it to the prescribed person or entity on the prescribed date.' In other words, cabinet may, by the stroke of a pen, transfer any non-clinical hospital service to any person or entity. This means that government can centrally dictate how all non-clinical services are to be provided by hospitals to the citizens of Ontario, including through privatization and transfer to for-profit providers."

You see, the section is very clear. Let me just read it into the record again:

"33(1) The Lieutenant Governor in Council may, by regulation, order one or more persons or entities that operate a public hospital within the meaning of the Public Hospitals Act and the University of Ottawa Heart Institute ... to cease performing any prescribed non-clinical service and to integrate the service by transferring it to the prescribed person or entity on the prescribed date."

The government made one minor change in this section, and I'm going to get to that. But I'm going to talk to you about the concerns I raised.

First, the minister himself, even if the local hospital board is in opposition, can order a non-clinical service to be transferred out of the hospital. Against their wishes, he can do that.

Second, there is no definition of "non-clinical service" in the bill, so none of us are quite sure what services the minister can order to be outsourced or contracted out. A number of people came forward and talked about hospital cleaning services, cafeteria services etc. But the lack of a definition of "non-clinical," as we were told by presenters, is going to lead to a lot of controversy and chaos

in the system about what that means and what the minister can contract out.

Third, he can contract that out to a “prescribed person or entity,” so that can be anybody, probably a for-profit cleaning service—as we heard during the course of the bill, there were many examples where that, regrettably, had already happened—or a for-profit cafeteria service, maybe Sodhexo, for example. But of course the bill doesn’t say what that entity is going to be, so that’s where you can drive the Mack truck through in terms of privatization of whatever those non-clinical services are.

Finally, it says “by a prescribed date.” We raised this a couple of times. The member for Don Valley West tried to say a couple of times during the course of the public hearings that this section was only for some specific transfer of services that was happening now, and those specific transfers of those specific services were going to be finished by a certain date and then this whole part of the bill was going to be removed, was going to be repealed. That was the reference to a prescribed date, in her opinion.

What was interesting is that when the government moved an amendment, it became very clear that this has nothing to do with shutting down the minister’s power to order the contracting out of these kinds of services. All that happens after a prescribed date is that it goes from the minister making those decision and the power is transferred to the LHINs. That’s the only change that was made. Those things can still continue. The only difference is who is going to be ordering the outsourcing of some of these non-clinical services.

Let me tell what you some people had to say about these particular sections. This was from OPSEU, Local 260, and I quote: “Why does the bill target non-clinical services? Dietary and building maintenance are inherent parts of the health care system. Others have made these services the focus of privatization and restraint, creating more hospital-borne infections and increasing the likelihood of the transmission of viruses in the health care environment.”

Here’s a presentation from the CAW, which told us how this was already happening, even though the bill hadn’t been introduced. One of the hospitals where they are the bargaining agent is already moving to divide up or change the positions of its employees in order to contract out some of these services. Here is what they said: “In an Ontario hospital represented by the CAW, management recently proposed that the patient services associate position, a multi-skilled generic classification providing a single point of contact, responsibility and care to patients, be disassembled into the former positions of nursing aide and housekeeping aide of previous decades. The hospital has asserted that Bill 36 is the motive for this regressive proposal and particularly the ‘non-clinical services’ distinction. It is our belief that the hospital had intended to position the housekeeping functions for contracting out, to the potential detriment of quality patient-focused care and effective public delivery of services.”

So it’s very clear that hospitals see the signal here. What they are doing is changing job descriptions, job classifications, to try and make sure that some of those employees will come under housekeeping now, so that those services are the ones that are going to be contracted out.

SEIU said that this provision opens the door to “greater privatization” of health care services. It will allow the government “to cease performing any prescribed non-clinical service and to integrate the service by transferring it to the prescribed person or entity on the prescribed date.” This gives the government the right to privatize more health services, particularly the non-clinical ones: “Non-clinical service transfers will be subject to the provisions of successor employer and sale-of-business provisions under the Ontario Labour Relations Act.”

“Displaced non-clinical service workers will have no right to transfer their union contracts to the for-profit private providers of non-clinical services.”

Here’s what the ONA, Anne Clarke, had to say in Ottawa: “I’d like now to move on to our concerns related to contracting out of non-clinical services.... In section 33, cabinet may, by regulation, order public hospitals to cease performing any non-clinical service and to integrate the service by transferring it to another ‘person or entity.’ We are concerned that non-clinical services are separately targeted and being treated differently than all other health care services.

“Our particular concern is the consequence of contracting out certain non-clinical services—for example, housekeeping and dietary—which are critical to patient care. Nurses are unable to provide quality care if we can’t rely on the quality of non-clinical services. In addition, these non-clinical services are essential to a healthy workplace and for protecting the health and safety of employees.

“Furthermore, the contracting out of non-clinical services such as human resources runs contrary to the whole purpose of maintaining good employee-employer relationships. Contracting out this relationship will only serve to erode morale further and to increase retention and recruitment problems. All of this will be happening at the same time as the shortage of nurses and other health professionals is growing worse as a result of upcoming retirements.”

Let me give you one final example in terms of what people had to say on this section. This comes from the Registered Nurses Association of Ontario, which made a presentation on February 6, 2006. It reads as follows:

“We are more immediately concerned about the impact on patient safety of contracting out non-clinical services in hospitals and other residential care facilities. We have repeatedly discussed with Minister Smitherman and Premier McGuinty the negative impact of two such services: cleaning services and food delivery. Nurses, who are with patients 24 hours a day, know that outsourcing cleaning services has a negative impact on

infection control and on the health and safety of patients and employees.

"The conventional argument for contracting out—'it will be more cost-effective'—is flawed. Cost savings are achieved by moving to providers that pay minimum wage and no benefits. This was the argument that drove the casualization of the nursing workforce in the mid- to late 1990s, and we are still suffering from its disastrous results on patients, nurses and the health care system.

"To outsource housekeeping and other services with direct patient contact will be disastrous for our patients and facilities....

"Contracting out housekeeping services will result in two potential outcomes. Either nurses will be taken away from central clinical work to pick up the slack, or patients will receive treatment in an unsanitary environment. Either choice has high costs associated with it....

"The second choice is even less palatable. It seems incredible that we should have to remind any government in Ontario about the importance of infection control in hospitals, given our experience with SARS and the more common antibiotic-resistant infections that have spread in recent years. A vital way to prevent infections and their spread in a hospital setting is to adhere to stringent standards which can only be met if people are trained to meet them and if workers know their workplace....

"RNAO has a clear position on outsourcing. Any service provider that is directly linked to patient care—including nurses, doctors, other health professionals, unit clerks, cleaners, and food services staff—must be part of the permanent staffing so that they can communicate effectively and collaborate to deliver safe, quality patient care."

I agree with all of those organizations, which is why we recommended to the committee to vote against section 33 in its entirety. We should not be giving the Minister of Health the ability to outsource non-clinical services, however they might be defined—and we don't know that—to a provider that will probably be in the for-profit sector.

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It's clear, again, that the only change the government made in this regard was to move away from language that actually set a prescribed date that was open-ended, to putting into the legislation a date: April 1, 2007. The new clause says, "The Lieutenant Governor in Council shall not make a regulation under subsection (1) on or after April 1, 2007." What's important to note is that on that day, the transfer of the power to outsource gets transferred to the LHINs. So despite what Ms. Wynne had to say during the course of the debate, that this was only reflective of a certain number of amalgamations that were occurring in the hospital system now, and once those were over, this whole section would be removed and nobody would have the power to use it anymore, that was not true. That was false. What is very clear is that after April 1, the minister, who used to have the power to order these outsourcings, will transfer that power to the LHINs, and they can carry on in the same vein of

privatizing non-clinical hospital services. We reject that entirely.

Let me deal with the section on competitive bidding. I've got to tell you that there was some very lively discussion about competitive bidding during the public hearings and the clause-by-clause. The nature of the debate went something like this: The minister and his Liberal backbenchers are trying to assert that there was nothing in the bill that talked about competitive bidding. Nowhere in the bill did it say that LHINs were going to use the competitive bidding model to acquire services. I, from my point of view, said, "Well, if that's what you mean, then you should mean what you say and should bring forward an amendment that would prohibit the use of competitive bidding by LHINs. Let's see if you're going to be prepared to do that." That was the nature of the debate that went on during the course of the public hearings.

I think it's important to put on the record what the minister had to say about this, because he was at the public hearings. He made the opening presentation. In a section where he told committee members to watch out for all the myths and the misinformation and untruths that we were going to hear from certain people who came before the committee, we should also take into account that there was nothing true about the fact that competitive bidding would be the model used by the LHINs.

This is what he had to say for the record: "Local health integration networks are going to extend the competitive bidding model to the entire public health care system." That's what he describes as a myth. "Well, I don't want to seem repetitive," said the minister "but I'm holding the bill right here ... and I have read it many times. Folks, it doesn't say that anywhere ...

"Local health integration networks are designed to better manage and coordinate health care services in order to ensure better access to those services. That does not mean competitive bidding...."

That's what the minister had to say: opening remarks, first day of the public hearings. He was followed up by Ms. Wynne on many occasions, telling people who raise concerns about competitive bidding that nowhere in the bill did it say that the LHINs were going to use competitive bidding. She repeated that over and over again, and I repeated the challenge to her that if that was the case, then the government should bring forward an amendment and put it very clearly in the bill.

Probably tomorrow, I'm going to get to the amendment that was moved by me with respect to this, but I want to read into the record right now some of the comments that people had to make about competitive bidding, because they were very clear indeed.

This is from the Elder Health Elder Care Coalition:

"Ontario's experiment with competitive bidding in home care has been a disaster for seniors. Many have seen unnecessary changes in their caregivers. We are extremely concerned that Bill 36 may give way to expansion of competitive bidding, leading to an inefficient and chaotic system. How care is structured has a direct

impact on equity of access, continuity of care, and quality of services.

“Recommendation 8:

“Amend Bill 36 to prohibit expanding the use of competitive bidding as a method for allocating funding to health service providers. Ensure that any allocation process is fair and transparent.”

These comments are from Ethel Meade, co-chair of the Ontario Coalition of Senior Citizens' Organizations:

“Many of our members are wondering if the whole LHIN project is a backdoor way to bring in two-tier medicine. We trust this is not the government's intention, but there is not much in the legislation to reassure them. Is the ‘purchaser-provider split’ merely a more palatable word for ‘managed competition’? We have not forgotten how ‘public-private partnerships’ were given the more palatable name of ‘alternate financing initiatives.’

“What is missing is a clear prohibition against allowing profit-seeking businesses to invest in any sector of our health care system. Experience in various parts of the world has made it abundantly clear that when the profit motive drives decision-making in a public program, the cost goes higher and the service to the public goes lower in both quantity and quality.

“OCSCO believes that the managed competition model in home care is a case in point. It has resulted in for-profit agencies squeezing out more and more non-profit providers. The quality of care has suffered, and communities have suffered from losing community service agencies that have for many years played a substantial role in promoting caring and coherent communities.”

Let me deal with this one, from a presentation in Ottawa. Just give me a few more minutes here, Speaker. It says: “The government says that there's nothing in the legislation that says the LHINs are going to use competitive bidding to acquire services, but the legislation also

doesn't specifically prohibit the use of competitive bidding.” Ms. McSheffrey made it clear, on the record: “When I met Elinor Caplan, one of the things she said to us was that part of her mandate was to review competitive bidding, because it could be used as a model within the LHINs of procurement for services, which is the British system, which is why my mum ended up going where she did for her surgery.”

The point about her mom going for surgery was really interesting. She said the following: “There are two areas that I consider myself an expert in. One is the disaster that has become the British National Health Service. It boggles my mind that anyone in government would use the NHS as a model for health care. Rationalization resulted in my mum being sent two and a half hours north of her home in Stafford for surgery because they were the cheapest centre to bid on that surgery. This resulted in no visitors and expensive transfer costs, as mum had to pay a driver to get her there.”

I'm going to stop at this point, because I see I'm near to ending my time, but when I start tomorrow, I'm going to be reading into the record some more of the concerns that were raised. Then I'm going to read into the record the amendment that I placed. Then you're going to see that even though the government had so much to say on competitive bidding and how it wasn't in the bill, when I moved an amendment to prohibit it, all but one of the government members voted down my amendment. That should speak volumes about what the government's real intentions are with respect to competitive bidding and the LHIN model.

Speaker, I'll pick it up tomorrow. Thank you very much.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

The House adjourned at 2127.

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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Halton	Chudleigh, Ted (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brant	Levac, Dave (L)	Huron-Bruce	Mitchell, Carol (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Burlington	Jackson, Cameron (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Cambridge	Martiniuk, Gerry (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Davenport	Ruprecht, Tony (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, Deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement t	Lanark-Carleton	Sterling, Norman W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Durham	O'Toole, John (PC)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London-Fanshawe	Ramal, Khalil (L)
Elgin-Middlesex-London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Markham	Wong, Tony C. (L)
Erie-Lincoln	Hudak, Tim (PC)	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Transportation / ministre des Transports
Essex	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Energy / ministre de l'Énergie	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke-Lakeshore	Broten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph-Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nipissing	Smith, Monique M. (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Northumberland	Rinaldi, Lou (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oak Ridges	Klees, Frank (PC)		
Oakville	Flynn, Kevin Daniel (L)	Thornhill	Racco, Mario G. (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	North / Thunder Bay–Superior- Nord	
	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa West–Nepean / Ottawa-Ouest–Nepean	McNeely, Phil (L)		Bisson, Gilles (ND)
Ottawa–Orléans	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Timmins–James Bay / Timmins-Baie James	Smitherman, Hon. / L'hon. George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Vanier	Hardeman, Ernie (PC)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Marchese, Rosario (ND)
Oxford	Kennedy, Hon. / L'hon. Gerard (L) Minister of Education / ministre de l'Éducation	Trinity–Spadina	Sorbara, Greg (L)
Parkdale–High Park	Miller, Norm (PC)	Vaughan–King–Aurora	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parry Sound–Muskoka	Wilkinson, John (L)	Waterloo–Wellington	Zimmer, David (L)
Perth–Middlesex	Leal, Jeff (L)		Pupatello, Hon. / L'hon. Sandra (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Peterborough	Arthurs, Wayne (L)	Willowdale	Duncan, Hon. / L'hon. Dwight (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Pickering–Ajax–Uxbridge	Parsons, Ernie (L)	Windsor West / Windsor-Ouest	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Prince Edward–Hastings	Yakabuski, John (PC)		Munro, Julia (PC)
Renfrew–Nipissing–Pembroke	Di Cocco, Caroline (L)	Windsor–St. Clair	Cordiano, Hon. / L'hon. Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Sarnia–Lambton	Oraziotti, David (L)		Sergio, Mario (L)
Sault Ste. Marie	Duguid, Brad (L)		
Scarborough Centre / Scarborough-Centre	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	York Centre / York-Centre	
Scarborough East / Scarborough-Est	Berardinetti, Lorenzo (L)		
Scarborough Southwest / Scarborough-Sud-Ouest	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux	York North / York-Nord	
Scarborough–Rouge River	Balkissoon, Bas (L)	York South–Weston / York-Sud–Weston	
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)	York West / York-Ouest	
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, Government House Leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement	Nepean–Carleton	Vacant
	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général	Toronto–Danforth	Vacant
St. Paul's	Mossop, Jennifer F. (L)	Whitby–Ajax	Vacant
Stoney Creek			

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 22 February 2006

Mercredi 22 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 février 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ELECTRICITY SUPPLY

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):

The people are worried. Whether you're a hard-working Ontario family, a small business owner or the head of a large manufacturing operation, you have a common concern: You have no confidence in the McGuinty Liberals' ability to properly handle the energy file. Without any kind of plan, this government made the irresponsible promise to shut down almost a quarter of our generation capacity. There was no consideration given to the reality of the situation. They liked the politics of their idea, so as far as they were concerned, that's all that mattered.

Liberals never look beyond the politics of anything. They said they would build natural gas plants to replace lost capacity. Well, where are those plants? They are just figments of the Premier's imagination.

Let's look at the Sarnia situation. The government announced with much fanfare that they had accepted a proposal that would replace the Lambton generating station. Not so fast. The shovel has not met dirt in Sarnia or in any of the other chosen locations for replacement natural gas plants. This is almost two years after the government first initiated requests for proposals. This has led to a feeling in the industry that not only will those projects not get done, but their credibility on other future proposals cannot be taken seriously.

Even the IESO has said their scheduled commitments to shut down coal-fired stations cannot be met. The Liberals knew this in 2003, but they went ahead and promised it anyway, regardless of what kind of damage it would inflict.

I find this government, just like the Minister of Transportation, guilty of egregiously reckless negligence.

CANADIAN OLYMPIC TEAM

ÉQUIPE OLYMPIQUE CANADIENNE

Mr. Mario G. Racco (Thornhill): Yesterday, my colleague spoke about the phenomenal gold-medal performance by the Canadian women's hockey team. Their 4-1 win over Sweden helped solidify Canada's position in the medal standings, with 15 medals: four gold, six silver, and five bronze.

Dans cette équipe, il y a beaucoup de femmes qui viennent de l'Ontario. The Canadian Olympic team is 196 athletes strong, and York region has a significant presence at these games. Gillian Ferrari et Sami Jo Small, qui font partie de l'équipe féminine canadienne de hockey, sont toutes deux nées dans ma circonscription de Thornhill. Cherie Piper est née à Toronto et habite maintenant à Markham.

Vaughan-born Duff Gibson made Olympic history when he won the gold medal a few days ago in the skeleton event. At 39 years of age, Duff became the oldest individual gold medalist in the history of the Olympic Winter Games.

On behalf of my colleagues and the people of Ontario, I congratulate all the athletes who worked so hard to get to the Olympic Games. Félicitations et bonne chance.

OMERS PENSION FUND

Mr. Robert W. Runciman (Leeds–Grenville): As all members know, the province could be facing an illegal strike sometime in the next 24 hours, and as yesterday's question period clearly showed, the Liberal government has no plan to deal with it.

That's not a surprise to those of us who have watched them operate from the back of a napkin for going on three years. They don't look ahead, let alone plan ahead. They simply measure political implications, and their time horizon on this is October 2007.

Bill 206 is being force-fed through time allocation with one political goal in mind: change the public perception of Dalton McGuinty. Mr. McGuinty quite properly is viewed as a promise-breaker and a weak leader. The Bill 206 exercise is cynically designed to try and change or at least lessen that perception. Mr. McGuinty spends hours rehearsing his tough-guy lines, but can't find the time to ensure the province is ready to deal with the challenges, risks and dangers brought on by an illegal strike. This is a cynical political ploy designed by the deep thinkers in the Premier's office. Let's pray that no serious damage or injury results. If it does, Dalton McGuinty will share the responsibility.

COMMUNITY SERVICES

Mr. Gilles Bisson (Timmins–James Bay): It seems that across the communities of Ontario—in my riding, certainly, and I'm sure in others—we're hearing the same story; it's starting to become a recurring theme. That is that people who are in the process of trying to provide

services for their children who are basically autistic or need to have special needs met are having more and more difficulty in getting the services they need from the agencies in their communities.

When we talk to the community agencies, what they tell us is that the dollars that they get are inadequate to provide for the need that is prevalent within those particular communities. I have cases, as I'm sure other members in this assembly have, where parents who need to have respite care relief for themselves to be able to go away and do some of the basic things in life when their autistic child needs to be supervised are not able to get those services, and as a result are burning out.

I say to the government, who are you going to hurt in the end? You are going to hurt the child and you are going to burn out the caregivers. We need to make sure that we support those caregivers in such a way that they can keep on providing the level of care that their children need.

We're seeing also within the communities a whole host of other services that are starting to become more and more difficult to get. For example, we have elderly parents having to make decisions about allowing their now-adult children to go into residential group homes, but unfortunately the lists are long and the spaces aren't many.

So I say to the government across the way, you certainly talked a good line when it comes to providing those services, but the reality for those families is quite a different story.

1340

PUBLIC TRANSIT

Mr. Phil McNeely (Ottawa-Orléans): On February 3, I had the pleasure of making a wonderful announcement in my riding on behalf of Minister Takhar.

At the OC Transpo station in Orléans, Councillors Rainer Bloess and Rob Jellett, and Helen Gault of OC Transpo, joined me to bring great news to commuters across Ottawa. I announced the second instalment of gas tax funding for the transit system in Ottawa.

Last year, Ottawa received \$18.8 million in gas tax funding. This money went toward improvements in the overall transit system, including construction of two park-and-ride lots, new buses and a new bus garage, as well as increases in services across the network and adjustments in routes to serve new residential areas.

This is particularly important in my riding, Orléans, where our population is now 100,000 people and increasing every year. Public transit now delivers over three trips out of 10, and by 2021 we expect that to be four trips out of 10—the highest ridership in the city of Ottawa.

There are new subdivisions popping up everywhere in Orléans, where young families can live close to their jobs in downtown Ottawa while still enjoying the quiet serenity of a smaller suburban community. For those families who use OC Transpo to commute downtown to work every day, this funding was especially welcome.

This year, the McGuinty government provided \$27.4 million to the city of Ottawa for transit. This money will encourage increased ridership in the Ottawa area, which in turn helps to reduce traffic congestion, commute times and smog. A cleaner environment and a healthier atmosphere is what we want to provide for all Ontarians. The gas tax funding is one major step toward achieving that goal.

OMERS PENSION FUND

Mr. John O'Toole (Durham): Tomorrow, public services affecting the elderly, our children and indeed our entire economy will be put at risk. The people at the centre of this storm are Dalton McGuinty, representing the Liberal government, and Sid Ryan, representing the Canadian Union of Public Employees in Ontario.

The issue is Bill 206, the Ontario municipal employees' retirement system and the CUPE pension. The problem: Premier McGuinty said before the election—I will quote an article from the *Ottawa Citizen* of October 28, 1997—when speaking to teachers, “You have my support. Take heart. You're doing the right thing and I ask you not to give up.” I can just visualize the then opposition leader McGuinty standing in solidarity with his wife, Terri, a teacher.

I also recall at the same time dealing with this same issue with my wife, Peggy, who is also a teacher. The difference was then, and is now, that Dalton supported teachers' job actions, but now he doesn't support the non-teaching educational support workers.

Is this just another broken Liberal promise or simply an old Liberal flip-flop? The difference between John Tory and Dalton McGuinty is that John Tory won't make promises he won't keep. You have to ask yourself the question: Isn't the real issue here leadership and keeping your promises?

NORTHERN ECONOMY

Mr. David Oraziotti (Sault Ste. Marie): I rise in the House today to recognize two important announcements our government has recently made. The first announcement was made in my riding of Sault Ste. Marie and it involved a provincial investment of \$4.75 million—\$3 million from NOHFC and \$1.75 million from the GO North program—helping to create 140 high-skilled jobs at a new wind tower manufacturing facility in Sault Ste. Marie.

This new corporation, SIAG Great Lakes LP, a \$35-million project, is a joint venture between Algoma Steel and Schaaf Industries of Germany. It's a tremendously positive step forward for value-added steel manufacturing in our city.

I want to thank Minister Bartolucci and Minister Cordiano for their support and for the important role they have played in helping to diversify our economy.

The second announcement was made today by Premier McGuinty and Minister Ramsay regarding On-

tario's forestry industry. Today, we committed an additional \$220 million to help the forestry industry with access road costs and reduce stumpage fees paid by companies.

Here is what the industry and municipal leaders are saying:

"Today's announcement is a home run by the government that has done more for the forest industry than any other government," said Jamie Lim, president of the Ontario Forest Industries Association. "It will pay huge returns for the people of this province in terms of jobs, the generation of wealth, and tax contributions from the industry that annually exceed \$1 billion."

"The government deserves to be thanked and congratulated," said Greenstone mayor and president of the Northwestern Ontario Municipal Association, Michael Power. "The measures announced today will have positive effects on not just the north, but the entire province."

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Dave Levac (Brant): I rise today to speak about our government's ongoing commitment to improving both the quality and the accessibility of health care for all Ontarians.

The establishment of local health integration networks, or LHINs, is an important evolution in the delivery of health care in this province. By ensuring that the vital health care decisions are made locally at the community level by people within the community, LHINs will ensure that patients receive the best care possible in the most efficient manner.

The LHINs are unique. If passed, Bill 36 will present a made-in-Ontario model that will effectively transfer responsibility from the head office in Toronto, the one big LHIN we presently have, to local communities where the impacts of health care decisions are felt.

Contrary to some of the recent criticism, LHINs are not about closing hospitals, cutting jobs and reducing wages. LHINs are about improving patient care in Ontario by devolving decision-making to the community level, where we are giving a greater voice to those who actually deliver vital health care services in Ontario. The first community to have a LHINs process in Ontario will be the first community—

Interjections.

Mr. Levac: The rest of Canada has already got these.

LHINs represent the dedication of the McGuinty government to health care in Ontario. We'll continue to do the hard work necessary to respond to the changing needs of the province. If Bill 36 is passed, the local health integration networks will be a significant step to better health care in the province of Ontario.

OMERS PENSION FUND

Ms. Kathleen O. Wynne (Don Valley West): I rise today to talk about the Ontario Municipal Employees

Retirement System Act, otherwise known as Bill 206. It's very important to me and to my constituents that we understand clearly what this bill is about. This bill provides for a new and independent governance model for OMERS. It devolves sponsorship from the Ontario government to the people who contribute to the plan. Employer and employee representatives will be able to negotiate their pension benefits for the first time.

The McGuinty government, our government, understands the importance of pension funds in Ontario, and that's why we've committed to devolving OMERS. It has not been easy. We believe that we've reached a responsible balance of interests with all parties involved. Although this has been an issue for 10 years, it's our government that has tackled the issue when other governments did not.

It's important to make it crystal clear that current pension holders will not be paying for the supplementary benefits of police and firefighters. Those benefits will be paid equally between those employees and the employer.

This government is moving forward to ensure Bill 206 fairly and equally represents the interests of all those involved, and that's why we've been as pragmatic as we have with the amendments to the bill.

WEARING OF PINS

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: I would like to seek unanimous consent for members to wear today the Trillium Gift of Life Networks pin, noted as the Gift of Life.

The Speaker (Hon. Michael A. Brown): Mr. Klees has asked for unanimous consent to wear the pin for the Trillium Gift of Life Networks. Agreed? Agreed.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling (Lanark-Carleton): I beg leave to present a report on the groundwater program from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon. Michael A. Brown): Mr. Sterling presents the committee's report and moves the adoption of its recommendations.

Does the member wish to make a brief statement?

Mr. Sterling: Yes, Mr. Speaker. The committee completed its deliberations in December. This was dealing with the auditor's report of November 2004. There were 14 different recommendations, which the committee made unanimously, asking the ministry in many ways to report on the status of its overall strategy on groundwater management. The deliberations of the committee, I might add, were prior to the minister's introduction of legislation in this place dealing with groundwater protection.

Therefore there may seem, from the report, some redundant questions or recommendations therein. However, there are other recommendations which are important for us all to know. I urge all members to read our report, and I urge the Minister of the Environment to respond to the recommendations as soon as possible.

I move adjournment of the debate.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

1350

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Michael A. Brown): I beg to inform the House that today the Clerk received the report on intended appointments dated February 22, 2006, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

ORGAN AND TISSUE DONATION MANDATORY DECLARATION ACT, 2006

LOI DE 2006 EXIGEANT UNE DÉCLARATION AU SUJET DU DON D'ORGANES ET DE TISSU

Mr. Klees moved first reading of the following bill:

Bill 67, An Act to amend various Acts to require a declaration with respect to the donation of organs and tissue on death / Projet de loi 67, Loi modifiant diverses lois pour exiger que soit faite une déclaration au sujet du don d'organes et de tissu au moment du décès.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Frank Klees (Oak Ridges): I'm introducing this bill today in honour of Don Cousens, who is a former distinguished member of this House. Don Cousens is also the current mayor of Markham, and he is a recipient of an organ transplant.

At last count, there were 1,920 people on the waiting list for an organ transplant in Ontario. Despite all of our good efforts, the number of Ontarians on the waiting list for organ donation has virtually doubled since 1994, while the number of donors has remained almost unchanged. Ontario's donor rate is below the national average and far below the best-performing province, namely, Quebec. There's a need to increase public awareness of the importance of organ donation to make people aware of the fact that they can save lives and reduce suffering by registering as donors.

The Organ and Tissue Donation Mandatory Declaration Act, 2006, will require every individual who is at least 16 years of age to answer an organ donation ques-

tion when applying for or renewing a provincial health card or driver's licence. The organ donation question will be incorporated into the standard application form, and the legislation provides that the question must be answered before the health card or the driver's licence is issued. There will be three responses to choose from in answering the question: yes, no, or undecided.

By building this mandatory declaration into the application process for a driver's licence and health card, we will guarantee that the issue of organ donation is considered by every Ontario resident on a regular basis. While requiring a mandatory declaration, this bill respects the right of every individual to make this very personal choice but also ensures that everyone gives serious consideration to the opportunity they have to save a life.

I look forward to the debate of this bill in the Legislature and the subsequent public hearings, all of which will generate a broader public discussion on this important issue. I'm hopeful that the final outcome will in fact be what is intended: increased public awareness of the fact that every individual has the gift of life to give, and that they will be moved to give it.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, February 22, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1355 to 1400.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Dombrowsky, Leona	Oraziotti, David
Balkissoon, Bas	Duguid, Brad	Parsons, Ernie
Bartolucci, Rick	Duncan, Dwight	Patten, Richard
Bentley, Christopher	Gerretsen, John	Peters, Steve
Berardinetti, Lorenzo	Hoy, Pat	Phillips, Gerry
Bountrogianni, Marie	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kular, Kuldip	Racco, Mario G.
Brotten, Laurel C.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Levac, Dave	Rinaldi, Lou
Bryant, Michael	Marsales, Judy	Ruprecht, Tony
Cansfield, Donna H.	Matthews, Deborah	Smith, Monique
Caplan, David	McGuinty, Dalton	Smitherman, George
Chambers, Mary Anne V.	McMeekin, Ted	Van Bommel, Maria
Colle, Mike	McNeely, Phil	Watson, Jim
Craiton, Kim	Meilleur, Madeleine	Wilkinson, John
Crozier, Bruce	Milloy, John	Wong, Tony C.
Delaney, Bob	Mitchell, Carol	Wynne, Kathleen O.
Dhillon, Vic	Mossop, Jennifer F.	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Amott, Ted
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Hardeman, Ernie
Horwath, Andrea
Hudak, Tim
Jackson, Cameron

Klees, Frank
Kormos, Peter
Marchese, Rosario
Martel, Shelley
Martiniuk, Gerry
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Prue, Michael
Runciman, Robert W.
Scott, Laurie
Sterling, Norman W.
Tory, John
Yakabuski, John

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 22.

The Speaker: I declare the motion carried.

ORAL QUESTIONS

OMERS PENSION FUND

Mr. John Tory (Leader of the Opposition): My question is for the Premier. It seems, Premier, that there were some positive noises making their way around the building this morning. In fact, according to Canadian Press, weeks of acrimony seemed to evaporate Wednesday. In light of the fact that we're 10 hours away from a threatened illegal strike deadline that will affect many communities and families, I wonder whether you could give us a bit of an update on what is going on this morning.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to address the question, and I'm sure it's one that many Ontarians are giving some thought to. First of all, I want to state that we look forward to moving ahead with the bill. We've worked long and hard to improve the quality of the bill over the course of the past eight months.

Let me take the opportunity at the outset as well to thank CUPE workers for taking the day today to reflect. The bill was called for third reading yesterday, but there is no job action that is taking place today. The reason I'm so optimistic is because I'm convinced that as more and more Ontarians, and CUPE workers in particular, gain a better understanding of the substance of the bill, they'll understand that it does not compromise their rights, and that it's all about fundamentally giving control to the workers of a pension plan over which only the provincial government has had control.

Mr. Tory: I think we'd all like to share in that encouragement and share in that optimism. I think we all hope that there's time to find some common ground and avoid the illegal strike that we both oppose. Now, we know that there is really no need to rush this bill through the last stages in the House. There is no deadline. You have a majority of members in the House, and we should be doing everything we can to reduce tensions and to provide the opportunity for that understanding that you just referred to to come about. So I wonder if today, as an

act of good faith, you would commit to hold off on the passage of Bill 206 until next week, since it seems that all the signs in the building, in your own words, suggest that there is a need for and perhaps a desirability of having a bit more time on this issue.

Hon. Mr. McGuinty: I cannot agree with the leader of the official opposition in this regard. We have made a commitment to Ontarians and we intend to deliver on that commitment. We have taken all kinds of time and explored all possible opportunities to ensure that we had committee hearings after first reading and committee hearings after second reading. We've had amendments introduced by all parties. We've adopted some amendments put forward by the other parties. I think we have done a lot of work in a collaborative way to improve the quality of the bill. Now our responsibility is to move forward, and I am optimistic that we can do so in a way that will enable CUPE members to understand that this does not in any way compromise their rights, including their right to negotiate enhanced benefits.

Mr. Tory: The Premier made mention in a number of previous answers on this question of the fact that the process had been followed, and how important this was and so on, and yet it was deemed necessary to introduce a time allocation motion after only the leadoff speakers had been heard from on third reading, when normally I think there might have been two or three sessional days allocated to this. I would ask you whether, for the betterment of the province and the stakeholders, the working families that will be affected by this illegal strike, you might commit to a slightly extended timetable so that there could be some opportunity for this understanding you talked about to come about. The time allocation of this bill is rushing it through in two days, when there is no deadline.

Now, if your party were to hold off until next week, I will commit to you, on behalf of the official opposition, that we will take not more than one sessional day to complete the disposition of this bill for our part. I wonder if you might take that in good faith and consider putting this over until next week to allow more time for this understanding that you talk about to come about.

Hon. Mr. McGuinty: Again, no, I cannot agree with the leader of the official opposition. We have devoted close to eight months to this particular piece of legislation.

The Leader of the Opposition may want to cast his mind back to what his party did in years past. They refined time allocation to a fine art in this Legislature. They would time-allocate without the benefit of committee hearings. We have had committee hearings after first reading and after second reading. We have entertained many proposals for amendment. We have adopted some of those opposition amendments. We have greatly improved the quality of the bill, and we look forward now to moving ahead with it.

The Speaker (Hon. Michael A. Brown): New question?

Mr. Tory: Mr. Speaker, again to the Premier and carrying on in the same light: In light of the fact that all

of those amendments did take place at second reading, at committee, it is precisely the reason that there is a third reading debate, so that people can come back to this House in committee of the whole or in the House as a whole and have an opportunity to discuss what has happened with the bill and have an opportunity to have another discussion about it. In this case—by the way, I should say that you condemned time allocation at the time the previous government did it and now you're becoming a great time allocation artist yourself. But, having said that, why—

Interjections.

The Speaker: Stop the clock. Order. The Minister of Community and Social Services will come to order. The government House leader will come to order.

Mr. Tory: Again, I don't know, Premier, why you seem so determined to be on a course which seems to be heading toward this illegal strike. In e-mail after e-mail, interview after interview, the public say that they don't really know what this is about, but all they do know is that it's going to cause them great hardship and inconvenience.

I say that the strike is illegal. Nobody wants it; it hurts people; nobody supports it. Why don't you try a different approach, which will cost maybe a few days at most, after the eight months that has been invested, to head it off? You'll still get your bill passed at the end of the day, if you want it.

1410

Hon. Mr. McGuinty: Just by way of contrast, the Conservative government time-allocated over 60% of their legislation; we've time-allocated 10%.

This is also noteworthy: In the last session of the Eves government, they didn't allow a single bill to have third reading debate—not one. We will always take the necessary time to ensure that there is full opportunity for legislators and for Ontarians to participate in important public debates. We have done that in the circumstance, and we will continue to do that into the future.

Mr. Tory: We're dealing here yet again with an instance where you stood in your place on this side of the House at that time and condemned all of that, and now you are saying, on an issue of great importance and potential hardship to families, communities and businesses across the province, that you are bringing in time allocation and you—

Interjections.

The Speaker: Stop the clock. Minister of Finance.
The Leader of the Opposition.

Mr. Tory: It is obvious from watching the comments of the public, from just knowing the services that are proposed to be withdrawn, that it is going to hurt the public—hurt kids, hurt people needing care, hurt communities and so on. I don't know why, and I ask you again, for the sake of a couple of days—I have told you and offered today that we would take not more than one sessional day to complete debate on this if you put this off for a few days to allow this understanding that you talk about to increase and perhaps result in some way of

resolving this, other than through a strike. Why wouldn't you try it? What is the rush? What difference is it going to make whether it passes today, tomorrow or a week from tomorrow? Can you tell us why it makes a difference?

Hon. Mr. McGuinty: Again, so Ontarians understand what we have devoted ourselves to to make sure we get this debate right: We've had two days of debate; we've had 30 hours of committee debate over a period of 11 days; we have received 141 submissions; we've heard from 54 separate presenters; we have adopted many amendments, including those put forward by the opposition. We think we have done justice not only to the bill itself and the subject matter that is found within the bill, but to important public debate. Now we feel a responsibility to move forward with this, and we want to do that in a way that is always respectful of the process. That's what we will continue to do.

Mr. Tory: I would argue that the Premier and his government could respect the process even more if they allowed a simple few days extra, both to have a continued debate in this House but also at the same time to see if there is any possibility at all that the two sides could find some way of resolving these issues, short of an illegal strike that none of us support. How will another few hours matter after all the time you just talked about that we've spent debating this bill? I concede we have spent that time; you're absolutely right. How will another few hours make a difference if there is any chance at all that it could head off an illegal strike? Why won't you even consider this idea, especially given that I have said that we will not obstruct this going through on third reading if it comes back here, say, next week? Why won't you even consider it? Instead, you'd rather see us get to the hour of reckoning at midnight tonight and have communities and people hurt by that. Why do you take that position?

Hon. Mr. McGuinty: Again, it is at the least interesting that the question is put by the representative of a party that time-allocated over 60% of its legislation. Again, I contrast that with our government, which has time-allocated a mere 10% of our legislation. I also want to remind the leader of the official opposition that in the last session of the Eves government, they didn't allow a single bill to have third reading debate.

There does come a time when the government must exercise its responsibility to say that the time for debate has come to an end. This bill was introduced almost eight months ago. It has gone through first and second committee hearings. A number of amendments have been put forward and a number of opposition amendments have in fact been adopted. We believe we have this bill exactly where it should be in terms of its quality and we look forward to moving ahead.

FOREST INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Since your government first acknowledged that there was a problem in Ontario's

forest sector, on June 13, 2005, over 3,500 good-paying jobs have disappeared from pulp and paper mills in northern and central Ontario. In every case, when they announced the layoffs or the closures, the management of the pulp and paper mills said, "Look, our major challenge is the high cost of electricity. We are paying two and three times the price for electricity that mills in Quebec or Manitoba or British Columbia are paying."

Today's announcement, with all your fanfare, fanfare you've repeated in the past, did nothing for pulp and paper mills, did nothing about the prohibitively high cost of electricity in Ontario. Premier, how many more jobs is the McGuinty government going to wipe out in pulp and paper mills before you address the real challenge, the real problem?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to take the question. I guess the leader of the third party, the NDP, did not have the opportunity to observe the reaction of representatives of northern Ontario, including mayors and industry representatives. Perhaps it is summed up best by Jamie Lim in response to our announcement this morning—a \$220-million announcement over three years—who happens to be the president of the Ontario Forest Industries Association, when she said, "Today's announcement is a home run by a government that has done more for the forest industry than any other government."

Mr. Hampton: I hardly call wiping out 3,500 good-paying jobs in a year and a half doing something for the forest sector, but let me tell you, Premier, after you made an announcement last June that went nowhere, and after you made an announcement last September that did nothing, and after an announcement two weeks ago that did virtually nothing, they're at least happy to have something. I acknowledge this may help sawmills, but this does nothing, absolutely nothing, for pulp mills and paper mills where thousands of jobs have been destroyed and where more jobs are going to be lost.

Premier, the problem that pulp and paper mills have identified for you is the high cost of electricity in Ontario. When are you going to respond to the challenge that is actually killing the jobs in the pulp and paper industry, your policy of driving electricity rates through the roof?

Hon. Mr. McGuinty: I'll tell you in particular why the announcement we made this morning was so very well received: because, among other things, what we said was that we're going to invest \$47 million more to support the construction and maintenance costs of primary and secondary access roads. This funding is in addition to the previously announced \$28 million, for a total of \$75 million annually. I can tell you why that is so important to the forestry sector: because since the early 1990s, they have been suffering under the ill-advised policies of the former NDP government, which had downloaded the costs on to our industry. What we have done, and we were glad to do it, is to reverse that injustice and lend a supporting hand to northern Ontario and the forestry sector.

1420

Mr. Hampton: You might want to check your own budget statistics. The biggest cut to road maintenance and road construction funding was made by a Liberal government between 1987 and 1990, a cut of \$24 million, but something that happened 20 years ago is not responsible for the challenge that's being faced today.

The challenge today is this: Paper mills and pulp mills cannot afford to pay eight cents a kilowatt hour for electricity when competing mills in Quebec are paying 3.5 cents, in Manitoba they are paying three cents, and in Minnesota, Wisconsin and Michigan, they are only paying four or five cents. They have said that to you over and over again. Your announcement today had much fanfare, but it doesn't address the big issue which has killed 3,500 jobs and is going to kill more jobs.

When is the McGuinty government going to reverse your disastrous policy of driving electricity rates through the roof—

The Speaker (Hon. Michael A. Brown): The question has been asked.

Hon. Mr. McGuinty: Again, I think it's important that we hear from Jamie Lim, president of the Ontario Forest Industries Association. She said this morning, "It will pay huge returns for the people of this province in terms of jobs, the generation of wealth and tax contributions from the industry that annually exceed \$1 billion."

This is what Greenstone mayor and president of the Northwestern Ontario Municipal Association, Michael Power, had to say: "The government deserves to be thanked and congratulated. The measures announced today will have positive effects on not just the north, but the entire province."

Don Campbell, vice-president and resident manager of Thunder Bay operations, Bowater: "The government's willingness to act on the Minister's Council on Forest Sector Competitiveness' recommendation regarding road funding is a most positive and welcome step."

I always welcome the advice and constructive criticism from the leader of the NDP, but when it comes to who I can rely upon for what is happening on the front lines, I'll take the words offered today by those people in the industry from northern Ontario.

Mr. Hampton: That wouldn't be Michael Power, former Liberal candidate, would it?

HEALTH CARE

Mr. Howard Hampton (Kenora–Rainy River): Premier, my next question is about your LHINs legislation. In the election, you promised to stand up for medicare. In fact, just yesterday your health minister said your government believes in public delivery of health services. So I want to ask you, Premier, can you explain section 33 of the LHINs bill, the privatization clause which gives the health minister the unprecedented, draconian power to order hospitals to privatize important services like cleaning and food services?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I detect that there is a theme emerging which is being developed carefully by the NDP with respect to our LHIN legislation, and we look forward to enjoying that in the days, weeks and months to come.

I know Ontarians are going to have a real interest in our LHIN legislation, but let me just say this: I would ask them, as well as the leader of the third party, to keep in mind that we have invested \$32.9 billion in health care in 2005-06. That's up 19% over the course of the last two years. We put in place funding for over 3,000 new full-time nursing positions. Our first 100 new family health teams have been announced. We're expanding family medical residency spaces by 70% and med school spaces by 23%.

I could go on and on with the investments that we are making, which are symptomatic of our devotion to strong, good-quality public health care for the people of Ontario.

Mr. Hampton: Yes, Premier, there is a theme to our questions. It's about your refusal to answer that question about your interest in private delivery of health services, your interest in the greater privatization of health services, and your refusal to answer the question tells us a lot.

You may not think that cleaners and the people who prepare safe food in our hospitals are important, but I want to quote from the Registered Nurses Association of Ontario: "To outsource housekeeping and other services with direct patient contact will be disastrous for our patients." It will have "a negative impact on infection control and on the health and safety of patients and employees."

Premier, you promised to stand up for medicare. How do you justify ignoring health experts like nurses at the RNAO and proceeding down a road of hospital service privatization—

The Speaker (Hon. Michael A. Brown): The question has been asked. Premier?

Hon. Mr. McGuinty: To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I appreciate so much the opportunity to answer that question from the honourable member and to provide him with an opportunity in his final supplementary to stand in this House and say why it is that, during the days of the NDP government, ancillary services were allowed to be privatized in hospital environments in the province of Ontario. Just like the question that he asked a moment ago about the forest industry sector, he likes to shrug off the reality—sad, for many—that this party was the government in Ontario for five years and that they too have a record.

In the province of Ontario, across the breadth of almost 155 hospital corporations, something like 83% of them do reflect on the fact that some variety of services in their hospital environments are provided by the private sector. The member speaks about so-called experts, and in my final opportunity, if one is provided, I will very gladly read a quote to the honourable member.

Mr. Hampton: Once again, this is the Premier who said he was going to safeguard medicare, that there would not be more of a move to privatization, that there would not be more of a move toward private delivery of health services, yet he and his minister both refuse to acknowledge that that's exactly what this section of the bill is all about.

Let me quote the Registered Nurses Association of Ontario again about section 33 of your LHINs bill: "It seems incredible that we should have to remind any government in Ontario about the importance of infection control in hospitals, given our experience with SARS.... A vital way to prevent infections ... is to adhere to stringent standards that can only be met if people are trained to meet them and if workers know their workplace." These nurses don't want to see services like food services and cleaning handed out to private corporations that are more interested in how much money they can make and less interested—

The Speaker: Thank you. Minister?

Hon. Mr. Smitherman: If that's the case, then one wonders why the honourable member allowed the same thing to happen at St. Thomas-Elgin General Hospital, at the Trillium Health Centre, at Halton health care and at Joseph Brant Memorial Hospital.

The member wants to know about our values with respect to public health care. They are there in the preamble of the bill, in the Commitment to the Future of Medicare Act, commitment to the Canada Health Act and the things that we've done: repatriated MRIs from the private sector, community health centres, family health teams, midwives, newborn screening. These are our commitments to a public health care system.

Here's what Roy Romanow said: "At a minimum, I believe governments must draw a clear line between direct health services ... and ancillary ones.... The former should be delivered primarily through our public, not-for-profit system, while the latter could be the domain of private providers"—advice that, apparently, that member accepted when he was in power.

OMERS PENSION FUND

Mr. Cameron Jackson (Burlington): My question is to the Minister of Health. Yesterday, I raised with you the issue of the importance of public services that may appear to be compromised in this province as a result of Bill 206. Yesterday, you indicated that there was no role for you, as Minister of Health, to ensure that the important health services that vulnerable Ontarians have come to rely on are not at risk. In fact, you indicated that we're operating on the basis of independent governance.

Minister, you made no contact with the long-term-care association for seniors in those homes. You made no contact with home care providers in this province to determine if there is any risk. So I'm asking you today, have you or your ministry come up with any kind of plan, a contingency plan, and have you been in contact with those services that Ontarians rely on, not only in our

hospitals but with our ambulance services in the province of Ontario?

Hon. George Smitherman (Minister of Health and Long-Term Care): Now the honourable member has got himself to the circumstance where he believes that it is those services provided by CUPE workers in provincial environments that are subject to these circumstances. He speaks about hospitals. There are no municipal CUPE employees providing services in our hospitals, to the very best of my knowledge.

Accordingly, I think the honourable member's question goes a little further than the reach of the job action that has been threatened.

1430

I did not in any way suggest what the honourable member has attributed to me. What I did say was that organizations—municipal service providers—that have relationships with their organized labour have built-in contingencies related to these challenges. And no, it's true, we haven't been involved in dealing with associations; we've been involved in dealing on the front line with direct health care providers. Regional ministry offices and senior staff at the ministry have been working with those direct service providers that might have implications from the threatened job action.

Mr. Jackson: The minister assured us of this yesterday. Evidence was brought forward, clearly, that he had not. We're supposed to rely on faith. Let me say this: The CUPE locals in Halton region have indicated that they will not go on strike, but last week they served notice that they will create job actions and work to rule in the Halton region.

This week, there was a meeting of seniors at an event in our community. One senior collapsed completely with laboured breathing, was unconscious and was in a high degree of risk. The place where this occurred called 911 and was put on hold for 10 minutes because the operator insisted on speaking to someone who could accurately describe the condition of the woman, who was very clearly in difficulty. A retired nurse who was in the room came to the phone, but they were still on hold. It took 25 minutes for an ambulance to arrive.

Minister, this is your ministry, your responsibility for the health care of Ontarians, and I'm asking you again to give this House evidence that you have a contingency plan, that you have an awareness and an understanding that—

The Speaker (Hon. Michael A. Brown): The question has been asked. Minister.

Hon. Mr. Smitherman: The contingency plans the honourable member speaks of are a matter of due course and of legislative requirement of the very service providers he's talking about. He asks as if we plan only on the week of a threatened labour circumstance, and the answer is no. At all times, it is the requirement of these organizations involved in direct delivery to have appropriately developed and filed contingency plans. This was a matter of course during the days when that member was a minister as well.

Accordingly, of course, through our regional offices, through the ministry's emergency management unit, we've been involved with direct service providers, seeking to make certain that their work with respect to contingencies has been properly developed. But I reassert, this is not a matter of attention over the course of just the last few days. This is the kind of attention that is drawn to these matters on an ongoing basis. Accordingly, there are a variety of threats and concerns that could be out there making contingency plans necessary over a wide variety of ideas.

The Speaker: New question?

Ms. Andrea Horwath (Hamilton East): My question is for the Premier. For the last few days, we've urged you to take a step back and work with stakeholders on solutions to the OMERS fiasco you've created. We're concerned about the confrontational action you've decided to take in the last 24 hours that could increase the tension: serving notice that you'll cut off debate on Bill 206 after just one day of third reading debate. In opposition, you said that time allocation diminished our democratic institutions. So why are you invoking time allocation now, right when working families are counting on their democratic institutions the most?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Municipal Affairs and Housing.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I appreciate the question from the member opposite. Let's just review the situation once again. The question relating to OMERS devolution has been on the government's agenda, both this government's and the last government's, for at least the last 10 years. There are over 950 employers on the employer side and something like 50 unions and labour associations on the other side. Getting 100% unanimity on any devolution simply is not possible. It's proven to be impossible over the last 10 years. Yet at the same time, we have come up with a bill that takes into consideration many of the different points of view that have been brought forward, many of the representations. We've had legislative hearings. The time has come that this bill should come to a vote. But it's a fair bill. It does not touch the pensions of pensioners, and it fully respects what both the employers and the employees put into the plan, and they should be running the plan.

Ms. Horwath: Back to the Premier: The question was about your desire to cut off debate on this bill. In opposition, your finance minister called time allocation an attempt to stifle debate. Your Attorney General called it antidemocratic and debate-killing. I guess for McGuinty Liberals what you say depends on where you sit. This is an important piece of legislation, Premier. Many different Ontarians have serious concerns about it, but you're cutting off the debate. If time allocation was wrong back then, why is it okay now?

Hon. Mr. Gerretsen: I don't like to dwell on ancient history, but at the same time, sometimes it's useful. It was actually that party, when it was in power, that started

to use time allocation on a regular basis in this House on some very crucial bills such as, for example, the social contract. That system was perfected by the previous government, which had time allocation on 60% of the bills. We don't like to use time allocation. We've only used it 10% of the time, which is a low over the last 15 years.

There comes a time, though, when there has been debate on a particular issue for more than 10 years in one way or another and on this actual bill for more than eight months, that it's time to call for a vote. Again, it is a bill that's totally fair to the contributors, to the municipalities and to the pensioners concerned.

The Speaker: New question. The member for Stoney Creek.

Ms. Jennifer F. Mossop (Stoney Creek): My question is also for the Minister of Municipal Affairs and Housing, and it is on the issue that has dominated this House this week and has been a concern for many people in this province and many people in my constituency.

I've received a number of calls from pensioners, retirees, who are worried about their pensions. These are retirees who have dedicated their life—as in firefighters, policemen, school boards, in our libraries, in children's aid societies, in our municipal governments—and they are worried. They have been told that they should be worried about their pensions, that they are now in jeopardy, that they are going to be harmed. These individuals have worked very hard for far too long to be told that they are now going to be short-changed, that something is going to change, that something is shifting under them. Can you please assure us that these people will have a voice and that their pensions are not in jeopardy?

Hon. Mr. Gerretsen: I'd like to thank the member from Stoney Creek for asking that question, because in this whole debate, the real unfortunate aspect is the myth that has been promoted by some parties that somehow, individual pensions of pensioners who are currently receiving these pensions are being affected. Nothing can be further from the truth. The plan will go on, the day after this bill is passed and after the new sponsors corporation and the administrative corporation have been set up, in exactly the same way as it has before. No pension is affected. As a matter of fact, for the first time pensioners will have a voting right on both the sponsors corporation, which sets out the various benefits, and the administrative corporation, which deals with the management and the investment of the fund. That's for the first time ever. Pensions simply are not affected at all for either current pensioners or for future pensioners.

Ms. Mossop: The other thing we've often heard about is that this bill has moved too quickly through the Legislature. It was introduced June 1 of last year. That was eight months ago. Most bills proceed through this Legislature by being referred to a standing committee after second reading, and I understand this bill took a different route. There's been concern that all the stakeholders have not been consulted, that people have not been heard on

this issue. If this bill is passed, it would give control of the OMERS pension plan to those workers and their employers who pay into it. What steps have we taken to make sure that everybody has been consulted, that this is fully thought out and there is a fair process in place for OMERS members?

Hon. Mr. Gerretsen: Again, the discussions on this started over 10 years ago. The OMERS board came up with the report in 2002 and informal discussions have taken place with many of the stakeholders over a long period of time as well. But when you talk about the actual debates that have taken place on the bill, the member is quite correct. It took place after both first reading and second reading. There were legislative hearings at both of those times. They went on for a long period of time. Just about every stakeholder on all sides of the issue, on both the employer and employee side, has had an opportunity to express their concern. As a result of that, a number of amendments were made that actually made the bill better. It's a fair bill for all concerned. It's fair to the pensioners, fair to the employers and fair to the employees.

1440

DEADSTOCK INDUSTRY

Ms. Laurie Scott (Haliburton–Victoria–Brock): My question is for the Minister of Agriculture, Food and Rural Affairs. Your government's continued failure to recognize the challenges in rural Ontario is setting the stage for a potential contamination disaster. You know that the BSE border closing has eliminated the export market for deadstock removal operators. You know that deadstock pickup charges to farmers have already doubled. Carcasses are already being pulled out of rivers and ditches, a situation that our agricultural critic will tell you is about to get worse.

Minister, you already abdicated your responsibility to the farmers when you allowed the transfer of nutrient management and source water protection to the Ministry of the Environment, but you still have to deal with deadstock. To what extent are deadstock animals contaminating the water?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): First of all, I would like to remind the member that with respect to the Nutrient Management Act, it was Justice O'Connor who very appropriately identified that that act should be carried by the Ministry of the Environment. Our government is committed to O'Connor, and that is why that move was made.

With respect to the deadstock situation in Ontario, I would say to the honourable member—and I think it's important that it has been raised in the Legislature today; it's probably not recognized as the important service it truly is in rural Ontario, as it should be—that a number of years ago, the deadstock industry was one that could make money, but after BSE, the products of meat rendering and carcasses were no longer cost-efficient or cost-

productive for farmers. So the government did establish a program that would pay out—we've spent about \$4.3 million to support the deadstock, plus—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Toby Barrett (Haldimand–Norfolk–Brant): Minister, you mentioned money. The extension of transitional funding for deadstock under your watch appears to be dead in the water. Companies say they're forced to shut down if provincial dollars disappear. That leaves deadstock on farms, which jacks up the risk of BSE and water contamination. Two colts were found dead on the side of the road just west of me. Is this the future of deadstock under your government?

We are concerned. Laurie Scott is concerned. Ernie Hardeman, Joe Tascona and Bill Murdoch are all getting calls. Minister, the question is, will you extend the financial support required to sustain the deadstock industry?

Hon. Mrs. Dombrowsky: Again, I think it's very important to clarify that when support was introduced for the deadstock industry, it was because there was a crisis after BSE when the market for the product plummeted. Our government has put \$5.3 million toward the industry, with the very clear expectation that by working with the Ontario Cattlemen's Association and renderers in the province, we would be able to achieve both a short-term and a long-term solution. I continue to work with those stakeholders so that we can have some dollars provided for the short term so that deadstock removal people can continue the service in their communities, as well as working with the industry to ensure that we have a more sustainable plan for managing this waste within our rural communities for the future.

HYDRO GENERATION

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Energy. Tonight, concerned citizens in the east end of Toronto will be meeting to discuss a mega power plant that Dalton McGuinty wants to dump on our waterfront. We have presented any number of alternatives, but instead, you and the McGuinty Liberals are imposing a solution that no one in our community can accept—not the mayor, not the council, not the waterfront corporation, not Toronto Hydro, not the citizens and not the neighbourhood. Minister, the community is meeting tonight. Do you plan to go in defence of your misguided plans?

Hon. Donna H. Cansfield (Minister of Energy): I'm pleased to respond to the member from Beaches–East York. The Independent Electricity System Operator identified that, by the year 2008, Toronto would be subject to rolling blackouts. This is a large, international, cosmopolitan city that, when it was half the population, had 1,200 megawatts of power. Today at double the population, it has no power generation. The Ontario Power Authority owns the particular piece of property where we will be putting this. We have made a decision to keep that property in the hands of the people of Ontario, who

own it, not to give half the property, transferred at no cost, to Florida Power and Light. This is the same party that in fact would require us to waive an environmental assessment in order to support the proponent he is supporting.

Mr. Prue: Minister, I suppose that's the answer you want me to take to them tonight. I'll be pleased to take it on your behalf. There are reasonable solutions that are both cost-effective and environmentally friendly and achieve the objective of keeping the lights on in Toronto and in Ontario for years to come. It's not too late for you to say you have made a mistake. It's not too late for you to say you will look at the other alternatives, especially when everyone in the community is united in opposition to you. Will you stop the mega power plant tonight, and can I tell the people who are going to be there that you have a real plan to invest in a conservation strategy that is a proven winner?

Hon. Mrs. Cansfield: Yes, I do have a plan: I plan to keep the lights on for the people in Toronto, and I plan to keep that asset in the hands of the people of Ontario. We have put in place over 300 megawatts of requirement in terms of demand-side management in addition to the 550 megawatts that are required by 2010. There is no question that we have to have rigour on the generation side and on the conservation side. It is neither one nor the other; it is both working together on behalf of the people of this city in order that they can be prevented from having rolling blackouts. I do not see nor understand why that particular party is continuing to perpetuate keeping the lights off. We're going to keep them on.

YOUTH EMPLOYMENT

Mr. Bas Balkissoon (Scarborough–Rouge River): My question is to the Minister of Government Services. Last week, I was pleased to hear from Minister Chambers when she announced the youth opportunities strategy that will fund community-based programs, to not only provide opportunities for youth, but equally important, offer hope as well. I understand the frustration many youth endure, as many young people in my riding feel they do not have the opportunity to gain meaningful experience to help achieve their full potential. I'm wondering, as one of Ontario's largest employers, how is the Ontario public service contributing to initiatives to help youth with employment opportunities?

Hon. Gerry Phillips (Minister of Government Services): I welcome the question from my good friend and colleague the member from Scarborough–Rouge River. You're right. The minister announced the youth opportunities strategy last week. I'm pleased to say that on behalf of all of us, the Ontario public service is playing its role in this program. We've launched a pilot project. We call it the OPS—Ontario public service—learn and work pilot program. It involves 20 young people who had left school without a diploma. We've encouraged them to come back and we have found employment for them in three areas in the Ontario public

service. They'll be working in some administrative roles, working with senior citizens and at the Ontario Science Centre. I think it's a good, new, positive learning and work experience. I might add that we very much appreciate the co-operation of OPSEU, our union, which is participating in this program.

1450

Mr. Balkissoon: From what I know about this program, it is obvious that young people will benefit greatly from these employment opportunities with the Ontario public service. The lesson these youths will gain from this experience cannot be underestimated.

Although I see the benefit in getting kids work experience, I believe education is also key to their development. Without the educational component to accompany the experience they would get on the job, I believe their potential will not be fully realized. How is the government, with this pilot project, helping youth achieve their educational goals and thereby helping youth to reach their full potential?

Hon. Mr. Phillips: As I say, the program is called "learn and work," so both components are in it. I talked earlier about the work component. This is a pilot project. One high school in the city of Toronto is participating in it. They selected the 20 students. But the 20 students will also be participating in a learning experience. Every two weeks, they will be taking an academic course. They're taking a three-week course. At the end of 18 weeks, they will have completed four course credits as well as the paid work experience. I think it's a terrific pilot project.

We have engaged a co-op education teacher to help coordinate this. It's a pilot in one school. Our hope is that it will work well, and I think it will. It's the kind of pilot project that we will be able to expand across the province in conjunction with the minister, who announced the youth opportunities program last week.

I'm very pleased with the program, and I appreciate the co-operation of everyone in the Ontario public service.

ORGAN AND TISSUE DONATION

Mr. Frank Klees (Oak Ridges): My question is to the Minister of Health. It's a rare occasion when honourable members can find common ground on an issue in this place. I hope that today we find that common ground in the private member's bill that I introduced earlier today. The purpose of that bill is to ensure that the awareness of organ donation and the opportunity for individuals in this province to make an election regarding their intent is heightened. I hope to hear from you today your personal view as Minister of Health in terms of support for the direction of that bill.

Hon. George Smitherman (Minister of Health and Long-Term Care): I think the honourable member is on very good ground to say that there is common ground amongst members on the desire to increase the supply of donated organs and tissue in our province. We know that our loved ones—some of them—pass on and very, very

good organs go unharvested because people have not necessarily agreed to make those available. The honourable member's proposal and the one that we have seen again more recently from the member from Niagara Centre are all very powerful in the important role of conversation and discussion because it is such a highly personal matter.

For my own part, I've been clear in saying that I'm very supportive of initiatives that are going to have certain implication in enhancing the supply of organs and tissue. For now, though, these two honourable members have brought forward bills. We look forward to having them called and to the members in this place engaging in that discussion, with a view not only to informing all of us better but informing Ontarians and encouraging them to give the gift of life.

Mr. Klees: Thank you, Minister, for that encouragement. As you know, there are some 1,920 people on the waiting list for organ transplants in Ontario. The waiting list has effectively doubled since 1994 and the number of available donors has remained relatively the same, so we do have a crisis in organ donation in this province. I'm hopeful that when this bill does come to debate in the House, we'll have broad support; more importantly, that we then have the support of you, Minister, and your government to move this forward into meaningful public discussion through the standing committee, so that we can, in fact, ensure that we put in place the right mechanisms to ensure that the issue of this long waiting list of people who are dying waiting for an organ can be resolved in this province.

Hon. Mr. Smitherman: I thank the honourable member again. We look to our friends at the Trillium Gift of Life Network to give us some independent analysis of the various proposals that are out there, to help to guide us in our undertakings around this issue.

As Minister of Health, I feel many pressures operationally to support services here and there. I've been proud that we've been able to enhance funding to support more organ donations. I suppose that amongst the list of pressures, this is one that I would further invite. We know that if we can encourage a higher degree of our population to contribute to make this ultimate gift of life, accordingly, many of our loved ones will live on.

I think our government would stand firmly on the side of saying that this is an operational pressure which we very much would like the opportunity to enhance funding around. Accordingly, we look forward to the discussion. It's really important that as MPPs we all take the opportunity to engage citizens in our local communities about the issues and the law and also about the necessity of signing the card.

WASTE MANAGEMENT

Mr. Michael Prue (Beaches–East York): My question is to the Minister of the Environment. In 2003, you and your party campaigned on a platform of 60% waste diversion from landfills. You're nowhere near meeting that goal and, in fact, you have no plan at all for waste

management. Instead of taking action on waste diversion, your government is pushing an expansion of the Richmond dump on the Mohawks of the Bay of Quinte, the township of Tyendinaga and the residents of Greater Napanee. Will you stand today and tell the Mohawks and residents of Tyendinaga township and Greater Napanee that the Richmond landfill expansion application will be withdrawn?

Hon. Laurel C. Broten (Minister of the Environment): I know that the member knows very well that the Richmond landfill is in the context and in the process of an environmental assessment at this point. Obviously, that process is underway. Community members have had an opportunity to speak to that issue. The public and ministry review of the proposed landfill is now underway. The materials are before the ministry. I encourage all Ontarians to participate in that important process.

Mr. Prue: The important process I would like you to participate in is to do something to divert waste from landfills. You have no plan for tires. You have no plan for used oil. You have no plan for e-waste. You have no plan for anything. Your lack of action to divert waste now threatens the groundwater and surface water of the Mohawks of the Bay of Quinte, Tyendinaga township and Greater Napanee. It makes a total mockery of your promise to protect source water.

The residents from the region are here today. My question to you is, will you stand up for source water protection and deep-six the Richmond dump expansion immediately?

Hon. Ms. Broten: I have to tell the member opposite that there is no government in the history of this province that has done more to protect source water in this province. The issues dealing with the Richmond landfill site are before the ministry. There have been two public comment periods in place. My ministry takes very seriously the concerns that have been raised. Those will be fully examined in the context of an EA process, which is a very important and critical process to raise serious environmental issues. That process is well underway.

With respect to waste management in this province, you know full well that this ministry continues to work very closely with municipalities right across this province. At the OGRA/ROMA meetings this week, I heard from municipalities that are reaching a 60% to 80% diversion. We're learning from those communities and bringing those best practices into other communities. We will, together, work with municipalities as we move forward, because we all know that the best thing with respect to waste management is to divert more of that waste from the waste stream. But at the end of the day, there will always be residual waste and—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

SOCIAL ASSISTANCE

Mr. Khalil Ramal (London-Fanshawe): My question is for the Minister of Community and Social Services. The people of my riding were very pleased to

hear that the McGuinty government has continued its efforts to reform social assistance and has made ODSP changes that will help recipients and their families move toward securing long-term jobs.

These changes were endorsed by Community Living, and in a release on the day you made an announcement, President Garry Cooke said, "People want to work but many can't afford to risk losing their ODSP income support while they try to establish themselves in the workforce. The new rules and exemptions make it easier to look for work to stay employed."

Minister, you have been able to make significant policy changes that serve to help those on social assistance and take away the disincentives that the previous government used to keep those on welfare staying on welfare. Can you please tell this House what exactly the changes are—

The Speaker (Hon. Michael A. Brown): Thank you. The question has been asked.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I appreciate the question from the member for London-Fanshawe. It is always a pleasure to stand up and tell more good news on how we're changing a system to actually help people who are on social assistance move into the workplace.

1500

Let me start with just two items: First, people who are on our disability pension program will now be able to access employment services unavailable to them in the past. That's important. They can get assistance to move into the workplace. Second, some of those rules the last government initiated actually prevent people, are actually a disincentive to seeking employment. We've changed the rules, have thrown out the dumb rules and have replaced them with easy-to-understand rules that say this: "The more you earn, the more you keep." This is essential so people will have an incentive to get out there if they can and, work if they can.

Mr. Ramal: Thank you, Minister. I know that different groups have been advocating for a social assistance wage increase. While a wage increase is an important part of restoring our social assistance system, it's clear that we are moving ahead with other areas that are certainly just as important. This announcement shows that with the many incentives for those living with a disability who are able to find work, they will be able to keep more of their earnings. The disabled community has been asking for these changes for some time. However, there remains a concern out there that if someone on disability goes off ODSP, they will lose their health care benefits. Minister, how will they be able to take care of their health needs if they're employed?

Hon. Ms. Pupatello: I can tell you about all of the consultation we've had with people who are actually on the system. They tell us what the huge disincentives have been. One of the largest has been the fear of losing those drug benefits if they take the opportunity to work when it might be available. We've changed that so that today individuals, when this goes into place, will be able to

keep those health-related benefits, when the opportunity for a job comes along, until they can access the company benefits. This is extremely well received by people on our system. We know that it can work for them.

In addition to that, we've added essential benefits to help them make that leap into the workforce, increasing that work-related benefit, for example, increasing the deductions for things like child care, an automatic \$100 work-related benefit, just for taking a stab at full-time work. Let me say this: We're proud of the work we've done. We're proud of those who are on our system who are willing to get out there and try.

COMMUNITY HEALTH CENTRE

Mr. John Yakabuski (Renfrew-Nipissing-Pembroke): My question is for the Minister of Health. I was contacted by a lady by the name of Shirley Ravary. A matter of great concern was raised by her with regard to her treatment at a health treatment clinic in Cornwall, the Centre de santé communautaire de l'Estrie in Cornwall. She approached it for treatment and was spoken to in French. When she replied that she could not speak French, she was told to go to another clinic, that she could not be treated there.

Minister, this clinic has indicated that they serve both anglophones and francophones, and this woman was turned down on the basis that she could not speak the language. Your ministry has said that it's okay to turn them down as long as the illness is not serious. However, she was never seen by a doctor. Could you answer that please, Minister?

Hon. George Smitherman (Minister of Health and Long-Term Care): There's a lot in there that I think is in need of some illumination. Firstly, community health centres are not where you go if you are in an emergency circumstance. If the woman in Cornwall had an emergency circumstance, presumably she would know to go to the hospital. A community health centre is primarily focused on primary care. They don't operate on a clinic basis, they operate on an appointment basis, and they're community governed. All across the province of Ontario, your government not so much, other parties in this House have supported the community health centre movement, which is self-governed and allows them to target very specifically populations with underlying health circumstances that are particularly negative.

In the Cornwall case, that means that the francophone community there has experienced particular challenges with access to health care. That's why they have in the past been awarded a community health centre. In the supplementary I'll give the honourable member a little bit more information.

Mr. Yakabuski: When this health centre requested support from the community, they made it clear that they would serve people in both languages. The lady in question has indicated to me that the director of the health centre, when approached by her husband, who spoke to him—her husband, Marcel, is French-speaking, by the

way. When he spoke to the director, Mr. Bisson, he was told, "Well, if your wife is anglophone, you can't come here either." Now, Minister, I think it is very important, and the people of Ontario should understand, that health services should be based on need, not the language someone speaks. Can you assure the House that is how health care is and will be delivered in the province of Ontario?

Hon. Mr. Smitherman: Let's put some more facts on the record. This woman, this individual the honourable member speaks about, has a doctor, and in fact the doctor she has a relationship with in his family practice also serves part of the time as an employee of the health centre, providing medical services. She went there and demanded to see her doctor, rather than following the route where their relationship was established.

Yes, of course, we need to have a health care system that responds to people's health needs, but we also need to have a health care system that is able to target those underlying health circumstances we know to be particularly problematic. That's what community health centres are about.

In the Cornwall community, we're in the midst, because we've announced it and are building it, of an additional community health care centre to better service the needs of the people in that community. But I believe this individual has received appropriate care from the health care system, had a relationship with a doctor that she chose to try to work in a different way. I continue to support, and I believe everybody should, the community health centre movement, particularly the self-governing element of it, which is designed to try and make sure that those who have greater challenges—

The Speaker (Hon. Michael A. Brown): Thank you. This more than completes the time allocated for oral questions.

PETITIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John O'Toole (Durham): It's a pleasure to read a petition on behalf of my constituents as follows:

"To the Legislative Assembly of Ontario:

"Whereas without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental

services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I'm pleased to submit this to Sarah, one of the new legislative pages.

PROSTATE CANCER

Mr. Kim Craiton (Niagara Falls): I'm pleased to introduce this petition to the House. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario's health insurance plan does not cover the cost of PSA (prostate specific antigen) test as an early method of detection for prostate cancer in men;

“Whereas mammogram tests for women are fully covered by the Ontario insurance plan for early detection of breast cancer and PSA test for men is only covered once the physician suspects prostate cancer,

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We support Bill 4. We believe PSA testing should be covered as an insured service by the Ontario health insurance program. Prostate cancer is the most commonly diagnosed cancer in Canadian men. At least one in every eight Canadian men is expected to develop the disease in their lifetime. Some five million Canadian men are currently at risk in their prostate-cancer-risk years, which are between the ages of 45 and 70. For many seniors and low-income earners, the cost of the test would buy up to a week's worth of groceries for some individuals.”

I'm pleased to support this and put my signature to it.

PORT COLBORNE GENERAL HOSPITAL

Mr. Tim Hudak (Erie-Lincoln): I'm very pleased to table some 4,139 names on behalf of Sharon Hamm, a hard-working volunteer in Port Colborne, to reopen the critical care unit beds at Port Colborne General Hospital. I want to congratulate Sharon on her work. The petition is brief, and reads:

“Please show you care and sign this petition to reopen our CCU at the Port Colborne hospital. The Niagara health system claims there is not enough staff to keep the unit open. What are we to do when there are no other beds available at another hospital? People before profits.”

In support of Mrs. Hamm's petition, I proudly sign my name as well.

1510

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Bruce Crozier (Essex): I want to read a petition addressed to the Legislative Assembly of Ontario and signed by hundreds of Ontarians.

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to address as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

Mr. Ernie Hardeman (Oxford): I have here a petition signed by a great many of my constituents, and obviously, from the petition previously read, a great many constituents around the province.

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I affix my signature, as I agree with this petition.

CHILD CARE

Mr. Khalil Ramal (London-Fanshawe): “To the Legislative Assembly of Ontario:

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas the province and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally, inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of thousands of Ontario families who would benefit from it."

I want to sign my name underneath it.

SPECIAL CARE HOMES

Mrs. Julia Munro (York North): "To the Legislative Assembly of Ontario:

"Whereas hundreds of vulnerable adults live in homes for special care that provide them a warm and secure, stable and friendly environment which allows them to lead fulfilling lives; and

"Whereas the alternative for many of these individuals is a life of homelessness on the street; and

"Whereas special care homes have had only a single 3% increase since 1999, which in no way matches the rising costs they face; and

"Whereas the Liberal government promised Ontario in the election that they would 'significantly increase supportive housing options for those suffering from mental illness';

"Therefore we, the undersigned, call on the government to bring in an immediate increase in funding to homes for special care."

As I am in complete agreement, I've affixed my signature to this petition and will be giving it to Sarah.

MACULAR DENGENDERATION

Mr. Kim Craitor (Niagara Falls): I'm pleased to introduce the following petition to the assembly, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario's health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most constituents and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program."

I'm pleased to sign this petition in support of it.

JUSTICE SYSTEM

Mr. John O'Toole (Durham): I've been receiving a number of the following petitions from across Ontario. This one specifically came from Gladys Bates in Barrie, and I will read it for the record and support it.

"To the Legislative Assembly of Ontario:

"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal; and

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario; and

"Whereas the Ministry of the Attorney General may not be aware of the serious and important issues facing individuals involved in the areas of justice, even though the Attorney General's ministry is continually monitoring the system;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Honourable Michael Bryant, Attorney General, be requested to do an in-depth investigation of the Ontario judicial system and make the public aware of his findings."

I'm pleased to sign this on behalf of the people of Ontario.

ASSISTANCE TO FARMERS

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition, and it's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas Ontario farmers are facing difficulties in earning their living and supporting their families;

"Whereas urban residents, such as those in Toronto, count on a reliable food supply from Ontario farmers; and

"Whereas farming is an integral part of the Ontario economy;

"We, the undersigned, petition the Legislative Assembly as follows:

"To ensure that Ontario farmers are supported so that all residents can count on a reliable, well-priced, safe food supply for all Ontario residents."

This petition was prepared by Sonny Sansone of my riding. I support this petition and affix my signature to it.

HIGHWAY 35

Ms. Laurie Scott (Haliburton-Victoria-Brock): "Highway 35 four-laning

"To the Legislative Assembly of Ontario:

"Whereas modern highways are economic lifelines to communities across Ontario and crucial to the growth of Ontario's economy; and

"Whereas the Ministry of Transportation has been planning the expansion of Highway 35, and that expansion has been put on hold by the McGuinty government; and

"Whereas Highway 35 provides an important economic link in the overall transportation system—carrying commuter, commercial and high tourist volumes to and from the Kawartha Lakes area and Haliburton; and

"Whereas the final round of public consultation has just been rescheduled;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government move swiftly to complete the four-laning of Highway 35 after the completion of the final public consultation."

I thank the businesses in the area for supporting this.

CHILD CARE

Mr. Phil McNeely (Ottawa–Orléans): "To the Legislative Assembly of Ontario:

"Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

"Whereas the provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

"Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

"Whereas Ontario's early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new, high-quality, regulated child care spaces in the first three years;

"Whereas Ontario's early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario's early learning and child care agreement, for the sake of thousands of Ontario families who would benefit from it."

I submit this petition and I put my signature on it as well.

1520

FINANCIAL SERVICES INDUSTRY

Mr. John O'Toole (Durham): It's a pleasure to respond to this petition:

"Whereas Bill 213, Justice Statute Law Amendment Act, 2002, enacted the Limitations Act, 2002, which provides for a reduction in the legal limitation period, from six years to two years;

"Whereas the two-year limitation period in effect from January 1, 2004, is not long enough for investors seeking restitution after suffering serious financial damages due to the wrongdoing of the financial services industry; and

"Whereas the Attorney General's position is that the plaintiff investor interests do not need further protection;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government immediately pass and implement an amendment to the Limitations Act, 2002, to provide an exemption for claims by victims of financial services industry wrongdoing so that no time limitation period applies to such claims."

I'm pleased to sign and support this, and present it to Matthew, one of the pages here at the Legislative Assembly.

ASSISTANCE TO FARMERS

Mr. Lorenzo Berardinetti (Scarborough Southwest): Similar to the last petition, I have another one, which reads:

"Petition to the Legislative Assembly of Ontario:

"Whereas Ontario farmers are facing difficulties in earning their living and supporting their families;

"Whereas urban residents, such as those in Toronto, count on a reliable food supply from Ontario farmers; and

"Whereas farming is an integral part of the Ontario economy;

"We, the undersigned, petition the Legislative Assembly as follows:

"To ensure that Ontario farmers are supported so that all residents can count on a reliable, well-priced, safe food supply for all Ontario residents."

I agree with this petition. I affix my signature to it and give it to page Yasmeen.

ORDERS OF THE DAY

LOCAL HEALTH SYSTEM INTEGRATION ACT, 2006

LOI DE 2006 SUR L'INTÉGRATION DU SYSTÈME DE SANTÉ LOCAL

Resuming the debate adjourned on February 21, 2006, on the motion for third reading of Bill 36, An Act to provide for the integration of the local system for the delivery of health services / Projet de loi 36, Loi prévoyant l'intégration du système local de prestation des services de santé.

The Acting Speaker (Mr. Michael Prue): On the last occasion, the member from Nickel Belt was in the process of giving her speech. She may resume.

Ms. Shelley Martel (Nickel Belt): When I finished up last night, I was talking about cutthroat bidding and how the Liberal government has done nothing to end cutthroat bidding in home care, despite how chaotic it has been and how it's very clear—because they refused to pass an amendment that I placed in this regard—that cutthroat bidding will now be extended to all of those services that the LHINs are going to have responsibility for.

I want to read two more presentations into the record, just to show how chaotic and how destructive this has been.

This presentation came from Madeleine Lebrun, in Ottawa, who didn't have a written presentation and spoke from the heart. She was very articulate and very moving. Let me just read some of what she had to say:

"I'm Madeleine Lebrun. I'm with SEIU and with Red Cross home care. I've been hurt by the bids. Please try to understand, it's very emotional for me to talk about it, because I've been with the Red Cross for 20 years. In 1998, when Harris came into power, they introduced the bid. We used to be 500 members. We used to go in in the morning and we'd stay four hours with a client. We had time to give them a decent bath. We had time to feed them.... We had time to do housekeeping, maybe light, but anyway, we did. The people felt special and we treated them as special, with respect and dignity. But Harris, when that government came in, took that away from them and took that away from me, because now I have to go in, sometimes at 7 o'clock, wake up that client, 'Get up and go for a shower now,' when she's not ready. If I try to be nice, coax and beg—sometimes I almost have to shove that person in the shower because I have to be out of there within an hour and I have another client that's waiting for me. That's the sad part.

"You want to introduce bids? You want to degrade people? That's what it comes down to. Right now, we're down to 55 members in Red Cross. Is that fair? No.... Do I make a lot of money? No; I make \$12 an hour, and I'm not even sure if I have a job tomorrow. My hours could go up; my hours could go down. Why do I do it? Because I love it. I love the people and I think they deserve more than that. When people are sitting in the office—I'm talking about the heart right now—making judgements, making decisions without even walking in their shoes, that's not fair. That's not fair at all. I have to bid. Every three years I have to go up in front of a stranger again and offer my service again. I'm 55. I'm tired. I'm exhausted from selling myself to the lowest bid all the time....

"Again, I have to beg you, please don't go for the bids, because people do not understand. If my sister and brother have to go through what I went through, you won't have any more home care. You won't have anybody who wants to work for a hospital. Why? Because it's not worth it. The lowest bid all the time? I don't have benefits; I don't have a pension. I've got nothing. But I do have a heart. Is that recognized?" No. "Nobody cares."

"When we lose a bid, we have to give our clients to another agency. In the process of doing that, there are missed visits, up to six weeks. I know; I visit those people. Why was it not reported? They're afraid that you might take away their service. That's the sad part. Do they have a voice in this LHIN? Do [I] have a voice" in this LHIN?

"When the other bids came in, Red Cross lost the bid. Everybody cried. We didn't want to go to the other agency because we were well treated by Red Cross. The

other agency didn't have an office. That lady was doing her work from the basement. I remember going in one time—they finally found an office—and they had a big box and all the clients in there. 'You want to work? Pick your client up.' Where's the confidentiality in there? There was none. Did somebody come and look at it? People don't care, and it's about time we start caring."

One final presentation from the Registered Nurses Association of Ontario with respect to cutthroat bidding: "Ontario's experiment with competitive bidding in home care has been a failure. It has resulted in: a shift to for-profit providers (the share of the total volume of nursing services awarded to for-profit providers increased from 18% in 1995 to an estimated 46% in 2001); a loss of the social infrastructure associated with not-for-profit providers; critical shortages of community nursing staff which are directly linked to system instability and worsened working conditions in this sector compared to others; grave concerns about the quality of care; a mis-allocation of resources resulting from the high transaction costs associated with the process; and tensions between direct providers and community care access centres.

"Expansion of competitive bidding as a method of allocating funding to health service providers in Ontario would be expensive, inefficient and lead to deteriorating health outcomes. Government officials have stated that there is no intention to extend competitive bidding beyond the home care sector. However, any legislation passed will continue beyond the current government and minister. As a result, that intention must be enshrined in the proposed legislation.

"Recommendation 3:"—from RNAO to the government—"Amend Bill 36 to prohibit LHINs from using competitive bidding as a method of allocating funding to health service providers."

That's what people had to say. What did the minister say, though? It's worth putting into the record one more time what he said about competitive bidding. This is on the first day of the presentations, in the section where he outlined—I use his word, "myth"—the myths that the committee was going to hear during the course of the public consultation. This is a myth, according to Smitherman: "Local health integration networks are going to open the door to privatization and to two-tier health care." And the minister says, "Well, I don't want to seem repetitive, but I'm holding the bill right here ... and, as I've said, I have read it many times. Folks, it doesn't say that anywhere." LHINs "are designed to better manage and coordinate health care services in order to ensure better access to those services. That does not mean competitive bidding."

Precisely because of what the minister had to say, that nowhere in the bill did it reference competitive bidding, and because of what we heard about cutthroat bidding during this process, I moved a very specific amendment about cutthroat bidding that reads as follows: "I move that section 6 of the bill be amended by adding the following subsection:

"No competitive bidding

“(5.1) A local health integration network shall not use competitive bidding, a managed competition or any other similar process for any purpose under this act.”

What did the Liberal members do? With the exception of one, the Liberal majority voted that down. That speaks volumes about the government's commitment—should I say, in fact, lack of commitment?—to stopping privatization of health care services. It speaks volumes about what the minister said during the course of the public hearings and what the reality is. The reality is that this government has done nothing to stop the cutthroat bidding process in home care started by the Conservatives, now continued under this government for the last two years. It remains the same, and this government has no intention of ensuring that that same cutthroat bidding is not applied to the other health care services that the LHINs are going to be responsible for.

Shame on the government, because during the course of the public hearings, when many people raised the concern about cutthroat bidding, the Liberal members responded by saying, “It's not in the bill. The bill doesn't say that the LHINs are going to use cutthroat bidding.” Well, when the rubber hit the road and there was an amendment on the floor to make sure that cutthroat bidding was prohibited, the Liberal members, save one, voted against that NDP amendment. So it's very clear where you're heading, it's very clear what the direction is and it's very clear that the chaos that we have seen with respect to cutthroat bidding in home care is going to be a chaos that is extended to those other health services that the LHINs are going to be responsible for.

1530

I want to deal with First Nations and francophone concerns. My colleagues who speak this afternoon will also focus some more on First Nations concerns in particular. We heard during the course of the conversation how angry First Nations were by the lack of an adequate consultation process, both before the bill was introduced and, frankly, during the process of the deliberation of the bill.

I just want to read into the record, though, a presentation that we had from Ms. Tania Cameron, who works with the Kenora Chiefs Advisory. It's a bit long, but I want to put all of it into the record. She said the following:

“I guess that sort of leads off to where the Kenora Chiefs Advisory takes issue: that we weren't consulted in the beginning. We understand that there were workshops in November, December and then in January 2005 talking about the LHIN. We asked the First Nations if they received any of these invitations. They didn't. We do our best, if we receive these invitations, to forward them to our communities, and we've heard the tail end. We learned later that in LHIN 14, aboriginal issues were 11th on the list. It didn't even make the top 10 priorities. Given that within the LHIN 14 geographical scope there are quite a number of First Nations, that was a huge concern to us.

“Our leadership, through the Chiefs of Ontario, held a meeting with Minister Smitherman in May 2005 shortly

after this promise was announced to Ontario.” That was a promise to have a new relationship with aboriginal people. “We had concerns over the non-participation of First Nations people regarding this change and the new structure of the LHIN. This meeting was held. Our chiefs had requested LHIN 15, an aboriginal-specific LHIN, and that was immediately denied. What was offered was the task force and some dollars attached to it. The Chiefs of Ontario did agree with this, so the First Nations task force on the local health integration network was struck. I have sat as the technical rep for our Treaty 3 territory. Our objective was to identify potential impacts of LHINs on First Nations health and services. Our final report was submitted in December 2005.

“What I wanted to mention is that, from the beginning, there were barriers. The first barrier I mentioned was that in LHIN 14, aboriginal issues did not make the top 10. Another one was that immediately, at our first task force meetings, we requested a number of documents from the health results team, one being the document on the need to integrate health so we can better understand where the integration was coming from. We requested a memorandum of understanding. We requested bylaws of initial LHINs. We also requested the training, design and orientation package for the LHIN board and staff to see if there was any aboriginal-specific orientation that was taking place. We never received those documents, and we had made numerous requests.

“In August, we had asked Minister Smitherman eight specific questions that we felt we needed to know in order to address these potential impacts. We asked that in mid-August and we got it at the end of November. Our task force was mandated to serve until November 15, so that was very frustrating.

“We asked right from the beginning to review draft legislation to clearly identify potential impacts of LHINs on First Nations and aboriginal organizations.... It was asked a number of times and, finally, late on November 2, we were told that we could get a PowerPoint presentation of this draft legislation, but we had to be there for November 4 for this meeting at 8:30 ... in the morning.... Even just myself, with family commitments, work commitments, to ask me to go from Kenora all the way down to Toronto the next day to listen to an hour presentation, I couldn't do it. So I requested a teleconference and the PowerPoint presentation forwarded to me. Technical difficulties did not allow me—not on our end, on their end. We couldn't get the PowerPoint presentation, and we were told that it would be a one-way dialogue, so we couldn't ask questions. It was very frustrating and I thought it was a waste of time.

“Like I said, we had the first meeting of our task force in July and they wanted a report by November 15. Of course, we were late because we didn't get a lot of the documents we'd requested, and when we did, it was within the last two weeks of the task force mandate. I wanted to state those frustrations with that.”

As I said, my colleagues will talk about some other correspondence from aboriginal people later on this afternoon.

What we heard during the course of the public hearings was that First Nations were clearly very concerned that this bill was going to infringe upon their inherent treaty rights and health care rights. That was made very clear to the members during the course of the presentations, and also from a letter that all of us got before the clause-by-clause started. We got this letter from Bob Goulais, executive assistant to Grand Council Chief Beaucage. He says in the letter, "The Union of Ontario Indians are concerned that the province of Ontario has failed to properly consult with the First Nations of Ontario on this sweeping legislation that has a genuine possibility of impacting negatively on the aboriginal, inherent and treaty rights in health of every First Nation member in the province of Ontario."

That is why, because of the concerns, I put forward three amendments that had been given to us, given to all members, by the First Nations, three amendments that I felt would address their concerns—concerns they had about the bill and concerns they had for the whole process, which was a sham, at best, from their perspective.

The government voted down all three of those amendments. I argued with legal counsel; I argued strenuously with legal counsel that we should include a non-derogation clause in this bill. I am still of that belief, and I regret that I couldn't convince the Liberal members on the committee to do even that, given how bad the process had been from the start with respect to aboriginal people: three amendments that we were asked to move by aboriginal community leaders, political leaders; three amendments that were voted down by the government members.

What was also very disturbing was that the two amendments that were moved by the government members were amendments that the First Nations had already told the minister—we all got copies of the correspondence—they did not endorse, they did not accept. So not only could we not get the amendments forward that they wanted; we ended up with two amendments that the chiefs themselves had said were not acceptable and did not address their concerns.

It is no wonder that we are now in a situation—and we all got this correspondence after the clause-by-clause—where Grand Council Chief John Beaucage has written to the minister and said, "If Bill 36 is passed and given royal assent, the Union of Ontario Indians will seriously be contemplating a constitutional challenge through appropriate legal challenges." We shouldn't have gotten to this stage. We are, and it's an absolute shame. The whole idea that there's some new relationship with aboriginal people that this government has entered into was clearly undermined through this process.

Let me just deal briefly with some of the concerns from francophones, and again, this will be expanded upon by some of my colleagues. We heard some very good presentations in Ottawa in particular. The one I want to reference came from some of our former colleagues in this place, M. Grandmaître and M. Morin, and two of their other colleagues who were there. This one is

specifically M^{me} Michelle de Courville Nicol, who said the following:

«... le cadre des réseaux locaux d'intégration des services de santé est profondément défectueux, et structuré de manière à échouer en ce qui a trait à l'élaboration et au maintien de services de soins de santé en français.

«Chaque fois que cette question a été soulevée lors des ateliers sur les réseaux locaux d'intégration qui ont lancé cette initiative du gouvernement il y a plus d'un an, la responsable de l'intégration du système, M^{me} Gail Paech, a dit à plusieurs reprises qu'un groupe de travail présidé par M. Gérald Savoie examinait cette question et allait résoudre le problème.

«En fait, nous comprenons que le groupe de travail sur les services de soins de santé en français présidé par Gérald Savoie a eu le mandat d'examiner précisément comment les décisions en matière de soins de santé touchant les francophones pouvaient être prises par des francophones, y compris la question de la gouvernance.

«Nous savons qu'après neuf mois de délibérations, le comité de travail sur les services de soins de santé en français a déposé son rapport final en octobre, mais que la communauté franco-ontarienne ne l'a pas encore vu parce qu'il n'a pas été rendu public par le ministère. Nous attendons sa publication avec impatience.»

It was very difficult for us as committee members to deal with the concerns that the francophones wanted us to deal with because none of us has had access to this report. It's been in the hands of the minister since October. It has still not been rendered public. We cannot tell whether or not the concerns that were raised through the report are going to be met, because the government hasn't released the report and hasn't said if it's going to implement the recommendations. So we couldn't do anything, essentially, with respect to the bill because we didn't know what the government was working with and we didn't know whether or not the concerns of the francophone community are indeed going to be met through this report.

Frankly, it put the committee in an untenable situation and it put the francophone community in the untenable situation that we would have a bill that's going to affect health care services that francophones are very concerned about, that we have a report that has been done by the francophone community about how to improve those services, but we don't have a copy, we don't have the recommendations and we have, as far as we can tell, nothing in the bill to address those concerns.

We know that because francophones came forward and—even though there's a slight reference to Bill 8, a former bill that provided for French-language services in designated parts of the province—made it very clear that even with Bill 8, many francophones were losing access to service in French. So it was not helpful at all for the minister not to have released this report, for us not to know what the recommendations are and not to know how we could respond by, hopefully, improving the bill to actually respond to some of their concerns.

What we did do, as New Democrats, was actually try to move an amendment that had been recommended to us in one of the last presentations we heard from francophone groups. This was l'alliance des réseaux de santé francophones, who asked us to move an amendment in the preamble of the bill that would recognize the francophones' participation in health care in the same way the preamble currently speaks to First Nations. Right now, under paragraph (e) in the preamble, it says "recognize the role of First Nations and aboriginal peoples in the planning and delivery of health services in their communities."

1540

I moved the following amendment: "that the preamble be amended by adding the following clause: '(e.1) recognize the role of Franco-Ontarians in the planning and delivery of health services in their communities,'" an exact parallel to what we already have. Do you know that the government voted this down? The government voted this down. For the life of me, I cannot understand the rationale for this. What we were doing, what we were asked to do, was in the preamble pattern we already have in place for First Nations, to put that in place with respect to francophones, so that at least in the preamble of the bill we've got some recognition of the role of Franco-Ontarians in the planning and delivery in health care in Ontario. We couldn't even get the government to do that. It's ridiculous.

Yesterday, the minister was talking about their relations with Franco-Ontarians and their relations with First Nations. I'm telling you, everybody who came before the committee had something to say about that that was very different. When you can't even get a simple amendment like that through, I think it speaks volumes about what the commitment is, frankly, that this government is making to Franco-Ontarians, to francophones, with respect to their participation in the delivery and the planning of health care.

In the final part of my remarks, because I am getting near the end, let me just deal with some of the other amendments we put on the table that the government voted down.

I also moved in the preamble a very specific amendment that would give voice to or recognize the importance of "health care professionals and confirm that they are fundamental to the delivery of quality health care and have the right to equitable terms and conditions of employment"; "recognize that the current shortage of health care professionals and workers needs to be addressed"; "confirm that regional disparities in the availability of health care within Ontario needs to be addressed"; "recognize that patients who are required to travel for medical care as a result of an integration ... should be reimbursed for costs" under this bill. That was voted down.

I moved that we have, frankly, a definition of "public interest." That, as far as I can recall, was developed during the Bill 8 proceedings by the committee that dealt with Bill 8. Public interest is not defined in the bill yet.

LHINs, the minister and others are supposed to make their decisions taking the public interest into account, but again, since it's not defined in the bill, it's hard to know what the term is going to be and what criteria they're going to use. I used language that was put forward by OPSEU and by ONA that specifically talked about the public interest, including "(a) the protection of medicare through ... the expansion of existing publicly funded health services; (b) the prohibition of two-tier medicine, extra billing and user fees;" adherence to "the principles of public administration, comprehensiveness, universality, portability and accessibility as provided in the Canada Health Act;" and a number of other provisions. The government voted that down.

I moved that the LHIN board members be elected in a process to be outlined in the regulations instead of appointed so that there might be some accountability back to the community that they are purported to serve. The government voted that amendment down.

I moved an amendment that would ensure that the local health integration networks should get some advice from a number of groups. Right now in the bill, before the amendments, it spoke only to a health professionals advisory committee, which I am in favour of, but I felt there were other groups that needed to be contacted, needed to have input. I recommended as well a health workers advisory committee consisting of front-line health care workers, employees and the unions who represent them, and "a community advisory committee existing of, at a minimum, seniors, mental health" advocates, "consumers of community support services, and with respect to each of those classes, representatives of the organizations that advocate" for them.

I said "at a minimum" so that others could obviously be added to that community advisory committee, but that at a minimum, those groups would have to have representation. Why? First, because seniors are primary users of the health care system; secondly, because we heard from mental health advocates that too often their issues are not addressed; thirdly, because we had many representations from community support organizations, which are important organizations, and we wanted to make sure there was some representation. My amendment would have made sure that, at a minimum, those voices would be at the table; they would have to be at the table because it was outlined that way in the bill.

The government instead voted that down and came forward with an amendment that they said allowed for much more flexibility. Of course, the flexibility is that nobody is named in terms of who should be on the committee. So seniors may be on; they may not. People who are mental health consumers may be on; they may not. People who use community support service agencies may be on; they may not be. I regret that the government voted down my amendment, which would have made it very clear that in particular those groups who have a very specific interest in health care at least would have to be represented, among a number of others.

I also moved a motion that would have made it very clear that any savings that were found by the LHIN in a

fiscal year would have to be kept by the LHIN and could not be deducted from the global amount of funding that the minister was going to allocate in the next fiscal year. The amendment was very clear to say that the minister could not deduct savings that were achieved by the LHIN from the global amount of money, and those savings, in addition to the global amount of money, had to be used on patient care in the next year. The government voted that amendment down too. So it's very clear in the bill that the minister continues to have the discretion to actually deduct savings, which the LHINs achieve, from the global amount of money that they're going to receive in a fiscal year. How silly is that?

Two other amendments had to do with the Public Sector Labour Relations Transition Act to say it would apply to all workers, regardless of whether or not the successor employer operated primarily in the health care sector, and that PSLRTA would have to apply to the crown as well. So where the crown is the employer, rights of workers who might otherwise be affected will be protected in terms of their bargaining agent, in terms of wages, salaries etc. The government voted that down as well.

Let me conclude by saying this. During the course of the public hearings, some very specific concerns were dealt with that I have tried to deal with in my presentation:

—The new broad powers of the minister that are in section 28, which we encouraged members to vote against. They did not.

—The door opening to privatization in section 33, which clearly gives the minister and then the LHINs the power to order the contracting out of non-clinical hospital services: We urged government members to vote against that. They did not.

—Cutthroat bidding: We moved an amendment to make it very clear that it was prohibited. The government members, with the exception of one, voted against that.

—Significant aboriginal and francophone concerns that we tried to address as well, frankly, weren't addressed through the course of the public hearings, which is why we continue very much to oppose this bill.

The Acting Speaker: Questions and comments?

Mr. Phil McNeely (Ottawa–Orléans): I am very pleased to see this legislation coming forward. We've selected the CEO for the Champlain LHIN, Dr. Cushman, whom I worked with at the city of Ottawa. He's a former medical officer of health. And I met with the chair of the board, who previously has run a hospital in Hawkesbury. I met with them because I had a problem that I couldn't resolve through the bureaucracy, where you have to deal with Toronto. I think that's what's important: trying to run a \$33-billion operation from Toronto and trying to deal with over 200 health providers—separate funds for health providers—just in the Champlain district. I don't know; if you then multiply that by the 13 or 14 LHINs, you get something like 3,000 health providers that have to be negotiated separately.

What Dr. Cushman and Mr. Lalonde showed us—we met with the president of the Montfort Hospital, Gerry

Savoie. We looked at a local problem, which is an Orléans urgent care clinic. We looked at it from a local basis, knowing that our LHIN will go up to Barry's Bay, it will go down to Cornwall and it will go to Hawkesbury. He looked at it in the context of that whole LHIN; I think 1.2 million people. You can see already that you can deal with problems that we have locally. You can deal with them if some authority is taken down to that level.

I'm very pleased to see the direction of this. It's well-thought-out legislation. We will not burden it with all the bureaucracy that the member of the NDP has wished upon us. It will not be burdened by that. It will be an efficient operation. It will start looking at health care much like a multinational with a lot of branch offices. You will not be running it from head office. It will be the people in the local communities who be making the decision with people who are competent in the LHINs, who can deal with the big hospitals that have \$2-billion budgets. So I'm really pleased with the legislation. I'm pleased with the way it has come out. I'm very glad that it doesn't have all the bureaucracy that some people would wish on it.

1550

Mr. Ted Arnott (Waterloo–Wellington): I'm pleased to have a chance to respond very briefly to the presentation this afternoon, as well as last night, by the member for Nickel Belt, of course, in her leadoff speech for the New Democrats. She started her speech last night and we continue it today. I enjoyed listening to her speech last night. Over the course of seven days of public hearings, we worked together to try to bring some improvements to this piece of legislation through the standing committee on social development. As has been pointed out on a number of occasions, the committee travelled to a number of communities and had public hearings as well in Toronto over the course of seven days.

One of the key problems that I have with the whole approach that the government is taking with this issue is the fact that, even though this bill has not yet passed third reading, the government started many months ago to set up the local health integration networks. They appointed 14 boards all across the province. They appointed CEOs, at a very high rate of pay, I might add. They set up the structure and they started the ball rolling in the absence of approval by the Legislature. I know that this issue was raised during the course of debate in the Legislature and it was suggested to the Speaker that there was something amiss here, that the government would be proceeding without the approval of the Legislature, without waiting for the passage of the legislation before setting up the structure that it was going to put in place.

One might argue that the government is demonstrating absolute indifference to the legislative process, absolutely presuming that they have the power to ram this bill through the House and that it will pass, and setting up the structure before the legislation is even passed. One might even argue that the word "contempt" might be used. I

know the Speaker decided that there was no contempt of the Legislature in response to the point of order that was brought forward. I would have to suggest that if it's not contempt, I'm not sure what it is. Certainly it's indifference to the legislative process. That's something that I think the government has yet to explain during the course of this debate. I look forward to the next government speaker, whoever is put up to speak to this issue, to see if there's any clarification on that matter.

Mr. Khalil Ramal (London-Fanshawe): I had the chance and privilege to be part of the committee and travel the province with the committee to listen to many different wonderful people from across the province of Ontario present to the committee, talk about their concerns, talk about the issues. I was also listening to the member from Nickel Belt when she was talking about various issues in the last 24 minutes, talking about competitive bidding, native issues, francophones, travelling and the elected board.

Hopefully, I'll get a chance later on to speak in more detail about this issue, but I want to say to the House, I want to say to the people of Ontario that when I hear this member from Nickel Belt talking about this issue as if we never went through it, we never talked about it, actually we have to state the truth. We have to talk honestly to the people of this province. We went around with a good intention: We went to speak with them, to listen to them. We listened to more than 230 presentations from across the province. We heard clearly from the minister when he was talking about competitive bidding. There was nothing being mentioned in the bill. No expansions; we're not going to open it up. We're not going to deal with it. This issue has been mentioned many different times by the member from Nickel Belt.

I'm also talking about the native aboriginal people. It was clear from the minister that he's willing to establish a health council to deal with the francophone community and the aboriginal people, and he's also willing to listen to them and consult with them on a regular basis to establish a mechanism in order to enhance their health situations and address their issues.

Also, with so many different people, our expert showed us that elected boards never worked in Alberta, British Columbia, many different jurisdictions. That's why we want an appointed board, in order to be accountable to the Minister of Health and to the people of this great province of Ontario. That's why we talk about the elected one; it didn't work. The appointed one is the only one that can be accountable for the ministry and for the people of this province.

Ms. Laurie Scott (Haliburton-Victoria-Brock): We have been in committee this morning too, and there were some new LHIN members appointments. We've been asking questions about LHINs. I think I go back to almost a year ago that we've been asking some questions. I know that the member from Durham is here, and along with him and some other members, we represent the largest area of the LHINs in Ontario, the central east. The member from Durham has quoted it goes from Algon-

quin Park to Queen's Park. It's a big area. We certainly do have concerns because we don't feel that there's going to be enough input from the local level. The appointments to the LHINs—great people. Again, they don't have a lot of direction from the government totally what their roles are going to be and what authority they're going to have. But they've gone out on a leap of faith because they want to try and do the best things they can for their communities. In our central east LHIN, it's over 16 hospitals, 70 long-term-care facilities, four community access care centres, three community health centres, two children's treatment centres, 25 mental health agencies, 50 community support service agencies and five addiction centres. We're going to watch this process closely, because that's a lot of facilities to watch over and to make sure that health care is delivered appropriately.

We're concerned about the costs: It was \$100 million in the CCA closure costs alone and \$16 million in district health council closure costs. What are we getting? Is this just going to be another layer of bureaucracy, a high-priced advisory board? I know that I've heard, and I know other members have heard, from a lot of people in the community who are concerned about this. I want to quote from one of the local papers Elizabeth Coombs, who is a union representative from Ross Memorial Hospital, who spoke to the city's community emergency service committee with the hopes of garnering the municipality's support, that the bill "will erode health care in the community." Representation from the three major health care unions in the province, CUPE, ONA, and the Ontario Public Service Employees Union—I know I'm meeting with CUPE member Maggie Jewell on the first of the week on this. We're concerned that this is not going to give adequate health care to our area.

The Acting Speaker: The member for Nickel Belt.

Ms. Martel: I'd like to thank all of the members for their contributions. I want to say this: The committee heard from a lot of people; the government didn't listen to what they had to say. That's the reality. During the course of my hour of debating this, I pointed out the specific sections that we had raised concerns about that had been raised by an overwhelming majority of the people who came before us. Section 28 is, of course, the area that allows for a minister to integrate, get rid of, transfer and do any number of thing that are additional powers that he didn't have before. That was confirmed by counsel during the course of the public hearings. The Registered Practical Nurses Association said, "Delete that section." Did you listen to them? No, it's still there.

Section 33: How many people came before us and said, "This is where the government is going to deal with a great deal of privatization of health care services"? It gives the minister and then the LHINs, after April 1, 2007, the authority to order a hospital to stop performing a non-clinical service even if the hospital board has said they don't want to do that. That is going to be outsourced to private, for-profit companies, and that will come at the expense of infection control in a hospital. We had the Registered Practical Nurses Association say, "Amend

Bill 36 to prohibit cabinet from ordering contracting out of any hospital services that provide non-clinical patient services.” Did the government get rid of that section? No, they did not.

When we talked about cutthroat bidding, how many people came before the committee and gave us example after example about how devastating this has been? The government members tried to say, “No problem. No competitive bidding. It’s not anywhere in the legislation.” That’s why I challenged the government to put it in the legislation if they really meant what they said; that’s why I placed the amendment to see what the government members were going to do on this critical issue. When it came time to vote in support of an NDP amendment that would have prohibited competitive bidding, cutthroat bidding, from being used by the LHINs, four of the five Liberal members—only one supported the NDP amendment; the rest voted against. It’s very clear that competitive bidding, cutthroat bidding, is going to be a part of this process, regardless of what you tried to tell presenters.

The Acting Speaker: Further debate?

Ms. Kathleen O. Wynne (Don Valley West): I’m very happy to speak to Bill 36. I am going to speak specifically to some of the amendments that were accepted and that we brought forward, the 53 amendments that we made to this bill. I’m going to come back to that because I really do want to address some of the concerns that have been raised by previous speakers. Before I do that, I want to make a general comment about what this legislation is about and how seriously I think we need to take the threat to publicly funded health care that we’re confronting right now.

I’m 53 years old, and there are many, many, many people like me across this country. We’re part of the baby boom; we’re aging and our knees and our hips and our eyes and our elbows—they’re not what they used to be. If we don’t find a way to make this health care system sustainable in Ontario and across the country, then we’re at risk of losing it.

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I’ll tell you, I have a sister who lives in Boston. She has two small children, and many days she wonders what the future for her and her children is vis-à-vis the health care system and how she’s going to pay. She and her husband don’t make a lot of money, and she’s concerned about how she’s going to provide for her children and her family over the long term. People in her circumstance living in Ontario would not have that concern, because we have a system in place that provides for the really high-quality health care of all our citizens. That’s what’s at stake: nothing less than the high-quality health care of all our citizens.

I understand why the opposition, particularly the member for Nickel Belt—why she would feel the need to attack the parts of the bill that she has attacked. We have responses to those issues, and I’m going to speak to those in a moment. But I think the overarching, non-partisan issue here is, how are we going to keep this health care

system on track? How are we going to keep this health care system in place? How is it going to be sustainable over the long term? How are we going to provide for all the people and all their needs, with all the new research that’s being done and all the new procedures and technology? How are we going to make sure that people have the service they need?

One of the things we’ve said is that we need coordination in the system. The Minister of Health, when he was first in office, talked about the non-system of health care. I think we have to recognize that as the health care system has grown and proliferated around the province, there hasn’t been the coordination that there needs to be. That’s what this legislation is about. It’s about putting coordination in place, but putting it in place from the community up, not from the top down.

It’s interesting to me the number of times that people who came to speak to us—and certainly the member for Nickel Belt, who was on the committee, talked about the centralization of health care. What we have right now in this province is one big LHIN, and the head office is at Queen’s Park in Toronto. What we’re suggesting is that maybe all the decisions shouldn’t be made at Queen’s Park. Maybe there should be a conversation about health care in communities around this province. Maybe there should be boards that have people on them who are from the communities in the province, who know those communities and what the issues are and where there’s a gap in service. People came to the committee and said, “We’re worried that we’re going to have to travel farther to get service.” Quite the opposite to making people travel farther, what we’re trying to do with these LHINs is to identify where there are service gaps, where there are issues and how service can be delivered better in local communities. So that coordination is critical.

There were district health councils. I know some of the members opposite want to talk about increased bureaucracy. What we’ve done is removed district health councils; we’ve removed the regional offices. We’ve removed layers of bureaucracy in order to put in place a local health integration network that will actually have some teeth. One of the presenters who came to us talked about district health councils as being toothless, because they could do the planning but they couldn’t implement; they didn’t have any control over budget. What we’re saying is that we’re going to take \$21 billion of the \$33-billion health care budget and put it into the hands of people in the communities. Those boards that have representation on them from people who have experience, who know how the health care system works and understand their communities, will start to make those decisions. They’ll have the planning function and they’ll be able to implement. I think that overarching plan to put the planning and the implementation into the hands of communities is a really important piece of this.

I had the privilege of traveling with the committee. It really was a privilege to spend seven days listening to people talk about their concerns about the health care system. Some people said, “Well, maybe seven days is

too long.” The government members on the committee pushed for that amount of time because we knew that we needed to hear from people from across the province. We heard from people via teleconference. People traveled to Toronto, Thunder Bay, Ottawa and London. We heard from a wide range of people.

As the hearings went on, the analysis of the legislation got more sophisticated as people read Hansard and listened to each other. The commentary got more sophisticated and was really helpful. It helped us as government members to recommend to the minister—and the minister, in dialogue with us—to come forward with those 53 amendments. That’s how it works.

I want to talk specifically about some of the areas that were amended. The member for Nickel Belt talked about section 28. Section 28 was a piece of the legislation that there was a lot of concern about. The real concern was that in that section we weren’t treating not-for-profit and for-profit organizations in the same way. So we amended it, and we’re now treating them the same way. That concern was addressed.

There was a reference to a need for provincial organizations and research and teaching hospitals to be part of the consultation. We put in language that would guarantee that those organizations are part of the planning process and part of the ongoing consultation.

There was a lot of concern about the clarity about community engagement and how we were going to amend section 16 to make sure that it was clear what kinds of community engagement we meant when we said LHINs have to engage in community engagement. So we made it specific that the LHINs could set up advisory councils, that they would be required to consult with and engage with the First Nations communities and with the francophone communities. We outlined much more specifically what that community engagement process would be, and that’s what we were asked to do.

Section 33 was one of the clauses that people had a lot of concerns about. Initially, the concern was that we were saying, “This is a transitional clause. There are some integration processes going on for hospital business services that need to be facilitated over the next few months, and this clause has been placed there in order to facilitate that integration. It’s a transitional clause.” Members opposite and people from the public said, “Well, why don’t you make it a transitional clause? Put a date in.” So we did. We put a date in place. So now what’s clear is that after April 1, 2007, that clause will be removed and the LHINs will have control of those processes. We addressed the issue. We addressed the issue that the member for Nickel Belt raised. She said, “If it’s transitional, put in a date.” We put in a date to make it very clear that it was transitional.

We heard about a need for reference to the Canada Health Act and the Commitment to the Future of Medicare Act, our Bill 8. Those weren’t in the bill. We’ve put them in the bill; they’re there now. It’s quite clear what our commitment is.

So we tried to respond, with our 53 amendments, to the major concerns that were brought forward.

I want to talk about the competitive bidding issue for a moment. It’s true: The government members, myself included, made it clear to people, person after person who came before us talking about competitive bidding, that there is nothing in the bill that enhances the ability of health care organizations to engage in competitive bidding, and there’s nothing that explicitly prohibits it. As the minister has said, we want there to be the ability within the LHINs for a process of engagement of different health organizations to deliver services according to their capacity and according to their ability to finance them. We want there to be, among the non-profit providers, the opportunity for that kind of process, so indeed we’re silent in the bill on that piece.

But we have to look at our record. We have repatriated MRIs into the public system. We have turned the Copeman clinics back at the border. We have said, “We are not going there in terms of privatization.” I think we have to be judged on our record. This bill is not about further privatization of the health care system. This bill is about maintaining and making our publicly funded health care system sustainable—for my children, for my grandchildren, for the children of the member for Nickel Belt and for her grandchildren, and for all the people in this province who rely on that publicly funded health care system and want to see it survive beyond the baby boom. That’s what this is about, and I am happy to support it.

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The Acting Speaker: Questions and comments?

Ms. Martel: Let me start with the last part first, about cutthroat bidding. You know what? The Liberals were challenged to put in an amendment to prohibit cutthroat bidding and the Liberals blew it, because when the rubber hit the road and there was an amendment before them that would have specifically prohibited LHINs from using cutthroat bidding to acquire services, the Liberals, with the exception of one member, voted that down.

You want to talk about a track record? The track record is your acquiescing and keeping the same cutthroat bidding process in home care in place that was started by the Conservatives. Two years after being in government, it’s your track record that still maintains cutthroat bidding in home care, and we heard again and again and again during the course of the public hearings how chaotic and destructive that has been. And what did you do? You keep cutthroat bidding in home care now, and you vote down an amendment that would specifically have prohibited that same type of cutthroat bidding from being applied to other health care services.

Shame on the Liberals who told people one thing at the committee, that nowhere in the bill did it say that, but when it came time to put your money where your mouth is, you voted against the amendment that would have ensured that there would not be cutthroat bidding used anywhere in this bill.

With respect to section 33—Ms. Wynne knows this well—I talked about no definition of “non-clinical services” so that any number of services might come out, about the fact that it was the minister who could do this

against the boards, about the fact that none of the so-called transitions that she said were going into effect now were even mentioned in the bill, and the fact that there was no date.

The truth is, the only amendment that was made by the government was one to say that until April 2007 it's the minister that can order the hospital to outsource those services. After that, it becomes the responsibility of the LHINs to outsource those services. The whole point that was made by so many speakers is that we shouldn't be outsourcing those services at all, and your amendment did nothing to correct that.

The Acting Speaker: The member from—just give me a second—Ancaster–Dundas–Flamborough–Aldershot. Got it.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): Thanks, Mr. Speaker. It's the riding with the longest name because our people have the biggest hearts and the biggest hopes and the biggest dreams.

When I was mayor of the town of Flamborough, I had the privilege of sitting on the local district health council, the Hamilton–Wentworth District Health Council. I want to tell you just how frustrating it was to come up with idea after idea after idea for service improvements, consolidations, integrations, best practices, and to have a government provincially which seemingly didn't want to hear that. It's my sense, and I say this quite sincerely, that this move toward local health integration networks, building on what my esteemed colleague has said, will go a long way towards enabling an enhancement of fundamental trust in the community. I believe its success or its failure, frankly, will be directly contingent on the quality of the people that we can attract to serve in leadership positions. In the Hamilton case, I'm very, very happy that Pat Mandy and Juanita Gledhill have agreed to lend their legendary community expertise to providing leadership here.

On a good day, being a member of this place isn't just about managing change but actually trying to do something to make that change happen. I am reminded of something my 17-year-old said to me. She said, "Daddy, go gently into the night, but leave your lights on." I think this move to community-based priority-setting in the health care system is going gently into the night; it's leaving our lights on. I suspect the so-called worry about privatization—it's going to be one heck of a lot tougher with community-based health care than it has been historically with the one LHIN here at Queen's Park.

Mr. Bruce Crozier (Essex): I just want to take this minute and a half to speak about amendments in general. I have heard a lot said from the member from Nickel Belt about amendments. I know memories fail us, as we can see just recently in the Ipperwash inquiry, but I came here in 1993. It was an NDP government, and the member from Nickel Belt was a minister in that government, as I recall. I was on three different committees—you have to realize we only sat 45 days from 1993 to 1995 because the government of the day was hiding from us—

but I can't remember an opposition amendment, from the third party at that time or from us as the official opposition, that was accepted by the NDP to any piece of legislation that I sat on in committee. Then, in 1995, along came the former government. I can't go as far as to say that I can't remember any amendments being accepted by that government, but I can say with certainty that they were few and far between.

Now here we are, we're in government, and we're getting accused of not listening to the opposition and not using their amendments. Well, you know why? I've come to the conclusion it's because opposition amendments generally are quite separated from the objectives of the bill that you're trying to amend. I'm not going to debate any specific amendment that may be a very good one; I'm just saying, for somebody to stand there and be surprised that the government doesn't accept their amendments—

Ms. Martel: Especially when the government said they did.

Mr. Crozier: Well, the member for Nickel Belt has been here a lot longer than I have. She should know better than to take that position.

The Acting Speaker: Questions and comments?

Interjections.

The Acting Speaker: Order, please. Member from Erie–Lincoln.

Mr. Tim Hudak (Erie–Lincoln): I'm on a two-minute hit, am I?

Interjection: Yes.

Mr. Hudak: I'm sorry. I didn't realize there was two minutes left. I'll just confine my two-minute comments to this notion about amendments.

If the government says that this bill will not allow for competitive bidding or, as my colleague from Nickel Belt calls it, cutthroat bidding—it's usually referred to as competitive bidding. It's describing the process where a contract would be let and there would be bids from for-profits, not-for-profits, government institutions etc. to provide services. The goal would be to provide the best services at the best possible price. But you say that competitive bidding is not allowed under Bill 36.

My colleague Ms. Martel, the member for Nickel Belt, who has been here for a while—a very intelligent individual; you heard her discourse a few moments ago—says, "Well, if that's true, we'll make you put your money where your mouth is," because the bill doesn't say it's not allowed. The bill clearly does not say competitive bidding, cutthroat bidding, whatever you want to call it, is not allowed. It does not say that; you say it does. So Ms. Martel put forward an amendment that said that LHINs would not be able to use a competitive bidding process. She said, "Let's see the government members put their money where their mouths are," and they disappeared. Well, they voted it down. It would have been better if they had at least abstained, if they were keeping to their word, but being good troops of Dalton McGuinty, they broke their word and they voted down Ms. Martel's amendment, which puzzles me to this

day. I've not heard a good response to it. In fact, what you've done is expanded the competitive bidding process under the CCACs across the province by making these mega CCACs. So put your money where your mouth is.

The Acting Speaker: The member from Don Valley West has two minutes to respond.

Ms. Wynne: For people watching, it must seem like we get wrapped up in our own rhetoric in this House. What's really important is not the inside baseball that's being played right here today, but that for the people who have children who need health care, or a grandchild or a parent who needs health care, that health care is available to them; that they know where to get it; that there aren't gaps in service around the province; that communities have input into the kinds of services they need, and that they can access those services. That's what this legislation is about.

What we did in seven days of committee hearings—and the member for Essex talked about the previous government accepting amendments. Well, the previous government would have had to have committee hearings in order to accept amendments. They didn't have committee hearings, so we have to step back a stage. They stopped having committee hearings. Not only are we accepting amendments and listening to the public to change the bill, but we're having those committee hearings in the first place. That's important, because that's how legislation is perfected. That's how it's made to meet the needs of the community.

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We didn't blow it. This is a conversation that has been going on in this province for many years. The flaws in the health care system can be laid at the feet of many governments. We're trying to pick up the pieces from the previous government and the government before that, and we're trying to put in place some structural change that's going to allow us to go forward into the future. We can be distracted by the fearmongering that has been going on for the last couple of days, but that's not productive and it's not what people in this province need. They need this structural change.

The Acting Speaker: Further debate?

Mr. Hudak: I'm pleased to participate in debate on Bill 36. I had a chance to make some comments a few moments ago as part of the response to the member from Don Valley West. I wanted to finish off a little bit more on this notion of competitive bidding. I'm here listening to the debate, and if Ms. Martel, who I believe fully, brought forward an amendment that would ban competitive bidding in the LHINs, then I'm at my wits' end to understand why the government members voted it down if they say they're against it. The reality is, you guys are big fans of competitive bidding. You must be. If competitive bidding was such a bad thing, like you said in the campaign, like a few of you say in the House—that you can't stand competitive bidding—where's the bill to outlaw it? You've been here for three years; you're in your third year. You'd have the NDP's support. You wouldn't have the Conservative Party's support, but you would have the NDP's support.

Interjection.

Mr. Hudak: The PA for transportation laughs.

Hey, we're clear and consistent. We brought forward the bill that brought in the CCACs, which brought in competitive bidding. I'll stand behind it. I voted for it. I believe the NDP has been clear and consistent. They oppose competitive bidding consistently. They say it's wrong. They bring their arguments forward. They stand behind their word; we stand behind our word. But your ministers, at the very least many of them—not all my colleagues opposite, because I know there are good members across there—decried competitive bidding and said it was a bad thing. Now they support it and are expanding it. There is an H-word for that, which has a Y after it, that I cannot refer to in the House.

Hon. Rick Bartolucci (Minister of Northern Development and Mines): Is “hockey” the word?

Mr. Hudak: The Y comes right after the H, not a few letters down the road.

I tell you, if you really do oppose competitive bidding, then you should have accepted Ms. Martel's amendment or brought forward a bill to eliminate it from the province of Ontario.

The reality is that, once again, the Dalton McGuinty Liberals said one thing to win votes, and once they got into office set about breaking each and every one of those promises, including here today by voting against Ms. Martel's amendment. I'll bet that if you ask Ms. Martel, she will disagree with my position on the issue but at least she will respect that the Progressive Conservative Party is consistent on the issue, which I think is a much better position than one that says one thing to get votes and the opposite once they get into elected office.

It's not just me who says that. Let me refer you to a very well read journal, Niagara This Week, published in the Niagara Peninsula. Here's the headline: “‘Furious George’ Just Warming Up”. It deals with this competitive bidding process. It's an article from March 4, 2005. “Last year,” referring to 2004, “[Dalton McGuinty] let ‘Furious George’ loose on the Victorian Order of Nurses—an organization which for the better part of a century has provided non-profit care to the sick and elderly in their homes. Smitherman all but wiped out chapters of the VON in Niagara, Kingston and other regions of the province by continuing to vigorously employ”—vigorously employ—“‘a competitive bidding process’...”

Not just me, I say to my friend from Northumberland, but Doug Draper, here in Niagara This Week—

Interjection.

Mr. Hudak: If you came from Niagara you wouldn't be saying that.

Niagara this week, a respected journal, notes that they are “vigorously employing a ‘competitive bidding process.’” He goes on to say, “And this year,” meaning 2005, but I'm sure it's good for 2006 as well. Listen to this; this is Niagara This Week: “And this year, the McGuinty government could make Alberta Premier Ralph Klein look like a slacker when it comes to privatizing health care with a plan Smitherman is ramming

through, with no public consultation, to create 14 'local health integration networks'" Bill 36 is what we are talking about; it makes "Ralph Klein look like a slacker." It's not what I heard from the Liberals when they were running for office, not what I heard from the Liberals when they were telling you to your faces that they opposed competitive bidding to win your votes. But, boy oh boy, how things changed after October 2003, where Doug Draper, no Conservative, says the McGuinty government could make Alberta Premier Ralph Klein look like a slacker when it comes to privatizing health care.

Let me stress a little bit too that point about the privatization agenda of the McGuinty government. They were dead set against—Mr. Speaker, you'll remember this—a role for private health care in the province of Ontario. I remember Minister Smitherman beating his chest saying he was going to throw himself in front of those vans that were coming across the Peace Bridge from the States that were going to give MRIs or CT scans or what have you to seniors and other patients in the province. He was going to throw his body in front of that van if they dared enter his province, where private health care would be banned.

Mr. Ramal: He did.

Mr. Hudak: No, he didn't throw himself in front of the van, rhetorically or otherwise. What has transpired since then? The competitive bidding process is being enlarged with these LHINs and the amalgamation of the CCACs. Optometry, chiropractic care and physiotherapy are now two-tier, thanks to Dalton McGuinty, in the province of Ontario. Formerly covered in various stages by OHIP in the past; now delisted, meaning that if a senior, a working family member, a child—

Interjection.

Mr. Hudak: Okay, not children for optometry. You're right: The children are still covered. But others now have to pay out of pocket for these health care services. You make Ralph Klein blush with the expansion of two-tier health care under Dalton McGuinty, despite campaign promises to the contrary.

The new cataract clinics, if I recall—I could be wrong, and if my friend from Sudbury stands up and corrects me, I will accept the correction, but in my recollection, the new cataract clinics in Ontario are private clinics; private not-for-profit, but private clinics, and I thought they were against private health care in Ontario.

The member from Don Valley East is here tonight and he has to be in a sprint with Minister Smitherman on the privatization agenda, because look at all the new privately financed hospitals in the province of Ontario. I think Ontario, under this government, will likely have the most 3P, public-private-partnership, hospitals anywhere in Canada.

We had to pull Dalton McGuinty off these chandeliers here a couple of years ago when we talked about 3P hospitals. We talked about Osler in Brampton, or the one in Ottawa. The member from Sudbury remembers. I think he had to jump up there to pull the opposition leader down off those chandeliers.

Hon. Mr. Bartolucci: No, I was joining him.

Mr. Hudak: No? You were joining him, he says. He was joining him on those chandeliers decrying 3P hospitals, saying, "There is no way a Dalton McGuinty government will allow these 3P hospitals in Brampton and Ottawa to go forward." Little did we know that they meant, "Not only Ottawa and Brampton, but Mississauga, Sault Ste. Marie and across the province of Ontario." Mr. Speaker, you know this. They've set the record for 3P hospitals, privately financed hospitals, in Ontario.

Mr. Lou Rinaldi (Northumberland): Publicly owned, publicly operated

Mr. Hudak: I'm talking about 3P hospitals, which you campaigned against and now you've brought in big-time in the province of Ontario. So you can see an expansion of the role of the private sector in health care. I just wish you'd call a rose a rose and admit that and be direct with the people of Ontario, but instead they hide behind this veil and claim, "It ain't so."

Copeman clinics: Just like Minister Smitherman said that he was against 3P hospitals, just like Dalton McGuinty said that he was against privately financed hospitals, just like the McGuinty Liberals said that they opposed competitive bidding, I'm sure too that they're going to stop these Copeman clinics from signing up people in Ontario. I don't believe it. I think there's a lot of rhetoric. Pretty soon people will be walking into Dr. Copeman's clinics, I bet in Toronto and other cities in Ontario, because I just don't believe Dalton McGuinty keeps his word when it comes to health care—frankly, when it comes to any of his campaign promises. He can't keep his word. It's chronic.

1630

I didn't mean to go on too long about that. I just wanted to make the point across that while the member from Nickel Belt and I may disagree on some approaches, on some occasions we do agree. It is extraordinary how the McGuinty Liberals have said one thing about private health care and then in reality, once in government, have embraced it, including the competitive bidding process.

LHINs: Come from Niagara, born and raised in Fort Erie, I represent some of the smaller communities—in fact, most of the smaller communities—in the Niagara Peninsula, Dunnville and Haldimand county, and I tell you, there's a great concern among people in my riding about the supersized LHIN. The supersizing of LHIN is bad for your health. The notion of amalgamating Niagara with Hamilton, Burlington, Haldimand, and Norfolk and Brant I think as well—

Ms. Andrea Horwath (Hamilton East): That's my LHIN too, Tim.

Mr. Hudak: Ms. Horwath's LHIN too, and I think she has similar concerns with this mega-sized LHIN and taking decisions away from the local community level to the supersized LHIN. In fact, I think in reality we all know that the decisions are really made in the minister's office, that the LHINs, at the end of the day, will probably just represent a veil for the minister to hide behind

as he or she, whoever it is of the day, pulls the strings and decides which hospitals are going to close and what machinery is going to move where. The LHINs will simply become a veil to hide behind. I think this actually consolidates more power in the chair of the Minister of Health and, at the very least, takes power away from local decision-making into these mega LHINs.

Community care access centres are going to be, if I understand, amalgamated into the same supersized format of the LHINs. So our Niagara CCAC will be amalgamated with the CCACs that cover Haldimand, Norfolk, Brant, Hamilton, Burlington etc. We deal with this on a regular basis in our office. I know my colleague from Durham does. York North does as well. We're seeing CCACs in our area that are cutting off services for our constituents. Our constituents may not get the services that they feel they need to recuperate from a stay in hospital or whatever particular ailment has brought them to that point.

At the very least, what we can do is advocate on behalf of our constituents and call the CCAC and help make the case that our constituent in Fort Erie or Beamsville needs additional services. Are we always successful? No. But I think we always feel successful in trying, and oftentimes we can make a difference on behalf of our constituents. We have a very strong relationship. I know people work hard in these CCACs. But when you destroy the local CCACs and re-amalgamate into this mega-sized CCAC, I worry about the contact that we're going to have with those individuals. I worry about the ability of MPPs to advocate on behalf of their constituents, because they're going to become one giant step removed from the local community.

I worry too about the ability, under this legislation, to amalgamate services. The LHIN members representing the supersized LHINs, if this bill is passed, would have the ability to amalgamate services at certain hospitals or community services. So, for example, we're going through a very difficult issue in southern Niagara today, where the critical care unit beds in Fort Erie and Port Colborne have been deserviced. They no longer are in service. There have been guarantees, which I believe will be followed through, to reopen those beds. For the time being they have been closed down. At least then we could work with the local hospital board and MPPs could put pressure, as the mayor and council have done, the local health care supporters, to get those beds restored. There is a connection directly.

But I do worry about the supersized LHINs, with staff and board that have no connection with the community, one day just saying, "You know what? Fort Erie and Port Colborne are smaller populations. Let's just take the beds out of there altogether and put them in St. Catharines. Farther still, let's put them up the QEW, all the way to Hamilton. We're going to consolidate them in Hamilton," for example, which may make some folks in Hamilton pleased. But I bet you they don't want to gain those services at the loss of the people of Fort Erie or Port Colborne. So locally there's some connection, but I

worry about the supersized LHINs pulling those services away.

Another one: Meals on Wheels. We have some that are consolidated in western and central Niagara, where it's a similar Meals on Wheels operation. We have others that run their own shops: Fort Erie and Port Colborne, to name a few. There is no doubt that the ministry would like to see them consolidated into one super mega Meals on Wheels delivery system. Currently, Fort Erie and Port Colborne can decide whether to opt into that or they can decide to stay on their own. But I bet you that people who don't know the community, don't know the history of those programs and don't know the volunteers who are working there, driving the streets of Stevensville or Crystal Beach at night and during the day to deliver the meals—the folks in the supersized LHINs aren't going to know about that. I think they will just, with the stroke of a pen, recommended by staff who don't know the community, amalgamate into one giant-sized Meals on Wheels, or contract it out. Who knows? It's allowed under this bill. I worry about them.

There were other amendments put forward to elect members of the LHINs. Right now they are decreed by the government. There are orders in council, meaning cabinet picks these individuals.

Mr. John O'Toole (Durham): Political appointments.

Mr. Hudak: My friend from Durham says, "Political appointments." Here are some of their most recent ones: a former Liberal MPP, also Liberal campaign manager in 2003 for Dufferin–Peel–Wellington–Grey; the campaign manager from Brant in 2003; the chair of one of the LHINs is a former director of the riding association of Prince Edward–Hastings for the Ontario Liberal Party. If gives me great concern that we are seeing a pattern emerging of people who have a closer connection with the Ontario Liberal Party than with the community as a whole appointed to these LHIN positions. These three may very well be competent individuals who will do their best for the LHINs. I have no reason to doubt that those I've seen at the committee could do so. But I worry about a pattern of these people so well connected with the Liberal Party being given these positions to pay back for their service to the Liberal Party rather than for their connections with the local community.

I don't know why, in today's age when we need targeted investments—I talked about the critical care beds in Fort Erie or Port Colborne, bringing more doctors to rural communities, funding for the West Lincoln Memorial Hospital—one of the top priorities of the McGuinty government would be to create this new layer of bureaucracy between the Minister of Health and the local community. And it's a pretty well-paid bureaucracy. I think it has been exposed: a leaked cabinet document spoke about hundreds of millions of dollars that will be going into these LHINs just for administration, for laying some people off, rehiring them. They hired some pretty big-name search firms to hire the LHIN directors. With benefits, wasn't it \$200,000 to \$300,000

each per year? Imagine how many nurses that could hire, how many RPNs working in the hospital, how many meals that could provide with Meals on Wheels. Instead it's going into a bureaucracy with a \$200,000-to-\$300,000 salary range for people who, I believe, at the end of the day are simply going to—

Mr. O'Toole: Move paper.

Mr. Hudak: —move paper, and ultimately the big decisions are going to be made by the Minister of Health at the time. They'll be the veil to try to hide the tough decisions. Maybe that's why some of the Liberal appointees—"I want you to change your service, but don't say you got the call from the minister or the minister's office, don't do that. Say it was the LHIN's decision. But we really think you should close down those beds or take those funds away."

I worry. We have hard-working service groups like the Lions Clubs and the Rotary clubs that do all kinds of difficult fundraising, backbreaking fundraising activities, to raise money to buy new machinery for their hospital and services to help out the local long-term-care facility, and this bill will give the unknown LHIN appointees, who have great connections to the Liberal Party, the ability to take that machine out of that hospital, the ability to take that machine or equipment out of the long-term-care home, and consolidate it wherever they want to. I don't know why the Ridgeway Lions or the Beamsville Lions or the Rotary Club in Dunnville would continue with those back-breaking fundraising activities if they knew that the service they were helping to provide, the machinery or the local improvements, were in jeopardy of being pulled away at the whim of these LHIN boards.

I want to say too that I think the money could be much better invested. Take the West Lincoln Memorial Hospital, for example. They need a new hospital. Outstanding staff, doctors, nurses, everybody who works there; they need a new facility. It's tired; it's old. But the deal that has been brought forward by the province of Ontario means it will be 2009 at best before a new hospital is built, and much farther down the list in terms of available funding. In fact, if you look at the number of hospitals that have been announced by the Liberal government so far, West Lincoln is about the farthest down the list in terms of the percentage of funding being given by the province of Ontario.

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My friend the Minister for Northern Development and Mines is here. No doubt he was working very hard behind the scenes to get funding for the Sudbury hospital, and the Sudbury Regional Hospital, at the end of the day, received 80% funding toward its capital project. I know also that the Liberal caucus chair, Mr. Gravelle, would have worked very hard for the Thunder Bay hospital, which at the end of the day received 80% funding. The West Lincoln Memorial Hospital in Grimsby: 62% and a start date in 2009, coincidentally well past the next provincial election date.

Mr. Speaker, I know my time is tight. But I have strong concerns about Bill 36, the lack of accountability

of the LHINs, and my fear that it will simply become a disguise for the Minister of Health to hide behind.

The Acting Speaker: Questions and comments?

Ms. Horwath: It's certainly my privilege to have an opportunity to participate in this debate this afternoon. Of course the one bill that I was most interested in—it ends up it's going to have closure called on it this evening. That is an interesting step the government has taken in a different direction. Nonetheless, we'll talk about that a little later on tonight.

Notwithstanding the government's discussion around the fact that there is a lot of fearmongering out there, in fact, when you look at this bill closely, when you look at it carefully, all the issues that are of concern to people in the provision of health care services in communities across this province—they have very, very serious concerns. They have concerns that the minister and then, a couple years down the road, the LHINs are going to have the opportunity to take services and merge them, to take services and redirect them to different providers, and nowhere in the bill does it talk about whether those providers need to be not-for-profit providers. In fact, if I recall correctly, the government was protesting, "That's not true. There is no agenda there to put services into the private sector. There is no agenda." But when our critic, Shelley Martel, said, "That's fine. Put your money where your mouth is. Let's put an amendment forward that says explicitly in the bill that there is no agenda, there is no opportunity, we are not going to privatize, we are not going to allow for further privatization," they wouldn't do it. They wouldn't support that kind of amendment.

When our critic said, "People are concerned about the power the minister has to merge facilities, to merge services, to change the way things are being delivered in the community over protestations of boards of directors, over protestations of boards of hospitals," we said, "Don't support this section. This section should go. This all-encompassing power for the minister and then, later on, for the LHINs should go." It didn't go. It's still there.

So yes, there are real concerns. They're bona fide. They're in this bill and they need to come out.

Mr. McNeely: The first point that I was speaking to this afternoon was trying to run a \$33-billion corporation from head office. Obviously, that's not the way to go. The second point that our minister has made and that has come out when this legislation has been debated in the past is that there is going to be equity amongst the LHINs. Just last April, the first measurement of wait times in various LHINs within this province was made by ICES. The ICES report came out in April or May, I think. I did considerable work in looking at what some of those wait times were across the province. This measured it in 2003. This was the situation the Tories left us. For Ottawa, it was the situation that the member John Baird, who is no longer here, and Norm Sterling, the member for Lanark—Carleton—they were the ones who were defending Ottawa. But Ottawa ended up 14th out of all the LHINs, the longest wait times in this province, and it was reflected in MRIs. We had twice as many people

served by an MRI, actually 2.2 times, 120% more, than Toronto. So our MRIs were up at about a year to get an MRI, whereas in some places it was three or four months.

One thing the minister has said is that we're going to have equity. We'll have the local knowledge. We'll have the local LHIN boards that will know what's going on. They will be given their dollars, the decisions will be made locally, and if you can't get the service in your own LHIN, you'll be able to get that wait time down in the next LHIN. I think that is extremely important.

We're hearing a lot today about cutthroat bidding. That's not the situation that's going to come in. That's not what the LHINs are going to do. I think the point was made that the decisions will be made locally and we'll see that there will be fairness; fairness between a monopoly, where it's 80% labour—we can't have the monopoly, we can't have the cutthroat bidding, but in between, there is a level that we will bring up. By bringing this down to the community level, we'll make sure we get a lot more concern, a lot more thought in keeping those good health providers who have been around for a long time.

Mr. O'Toole: It's a pleasure to get up and respond. The member from Erie—Lincoln has covered some of the very critical parts of this bill. I would draw not just to the Speaker's attention but to members present, and more particularly to the members of the government who may not have read this bill—it's 88 pages. It's being slammed through rather recklessly, I would say. There are three important sections that I think need to be reviewed.

The first section—and I'm going to repeat this for the record—is section 28. I'll read it. "Integration by the minister" is the title of the section.

"(1) After receiving advice from the local health integration networks involved, the minister may"—and here's the list of things they may do:

"1. To cease operating, to dissolve or to wind up its operations.

"2. To amalgamate with one or more health service providers ..."

"3. To transfer all or substantially all of its operations ..."

"4. To do anything or refrain from doing anything" as ordered by the minister.

If you go on and look at the harshness of this whole overarching centralization of government control, or George Smitherman gone wild, section 33 is even more scary or draconian. It's called "Integration by regulation."

"33.(1) The Lieutenant Governor in Council may, by regulation, order one or more persons or entities that operate a public hospital ... to cease performing" functions.

It goes on to say, "to cease performing a service described in regulation made under subsection (1) shall develop a human resources adjustment plan."

Then it goes on to sort of wrap it all up into a bundle, that the minister has ultimate control in section 36, which is the regulations section. Again, I'm going to read this:

"36.(1) The Lieutenant Governor in Council may make regulations" prescribing anything.

I can't believe what's actually happening here, and yet some of the members don't seem to understand—or at least the points they're making out of the scripts they've been given to read.

Mr. Howard Hampton (Kenora–Rainy River): I listened intently to Mr. Hudak's comments and I do want to commend him on one thing: If the former Conservative government was going to privatize something, they were very straightforward with people. They were forthright and very direct. They would stand in front of the television camera and say, "We're going to privatize the LCBO," or "We're going to privatize Ontario's hydroelectricity system." They were direct and forthright, and then they did it.

The McGuinty Liberals, however, will stand in front of the camera and say, "I will not raise your taxes," and then immediately after the election, they'll hit working families with a \$2-billion tax increase. Or they will stand in front of the camera and say, "Oh, we would never privatize hospital services; we would never privatize health care services," and then they present a bill which, through the back door, will do exactly that. That's how the McGuinty government operates. They will look at you and smile and say, "Oh, we would never do that." Meanwhile, they're in the back room, working through the side door to do exactly that, only on this one, they got caught.

Our critic put forward an amendment which said, "If you're not using this to privatize, if you're not interested in using this mechanism to move to private delivery of health care services, then put it in the bill. Put the language in the bill that there will be no privatization, there will be no move to private provision of these health services." The members of the McGuinty government voted it down. Now you're caught. This is about privatization of hospital services.

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The Acting Speaker: The member for Erie—Lincoln.

Mr. Hudak: I appreciate the comments by all my colleagues.

I wanted to add a few other quotes to those I have used tonight just to back up some of my points. Wendy McPherson, the Niagara District Health Council chair, said, "I think Niagara really needs to be aware of what we are losing by going into LHINs. We stand to lose our local voice." Not a conservative by any means—a health care professional, the former chair of the Niagara District Health Council.

Peter McAllister, Niagara District Health Council vice-chair: "I fail to see how a Hamilton-based LHIN brings health decisions closer to the local community."

George Marshall, a Welland regional councillor active in health care issues, said, in the Welland Tribune, "This is obviously the most important health issue to hit Niagara in my memory."

He went on to say, "And with the loss of a local voice, it's going to be very difficult, if not impossible, to ensure

that the province gets the health intelligence it requires to make informed decisions.”

What do we see instead? Instead of investments in improving front-line health care services: up to \$100 million, according to a leaked cabinet document, in CCAC closure costs; \$16 million spent to close down the DHCs. I suspect many of those same individuals will just be at different desks down the road in other offices, farther away from the people—but \$16 million dollars in closure costs. LHINs will be much more expensive than DHCs. In fact, LHINs will have some 560 employees to operate, three times higher than what the DHCs had. That’s not just me; that’s a leaked cabinet document from the Dalton McGuinty government. Fort Erie and Port Colborne are forced to share a community health centre. I think they both have the population bases and the need to have individual health care services. I imagine that money could be spent towards those purposes, as opposed to an unneeded extra layer of bureaucracy.

The Acting Speaker: Further debate?

Mr. Hampton: I’m anxious to participate in this debate, because I believe the people of Ontario need to know what is really in this bill. I want to use the part of Ontario that I am from as an example. The McGuinty Liberals have the gall, the nerve, to call this local health integration. Well, the LHIN in my part of Ontario, northwestern Ontario, will extend literally from Manitouwadge, which is halfway between Sault Ste. Marie and Thunder Bay, all the way to the Manitoba border and all the way to Hudson Bay. It will be literally as large as France. The McGuinty Liberals have the gall, the nerve, to call this local health integration. Imagine taking a country the size of France and saying, “This will be a LHIN, and the decisions will be made in this one centralized area,” and having the gall, the nerve, to call this paying attention to local interests; having the gall to say “paying attention to local communities.”

The people in my part of the province are on to this. They already recognize it for what it is. This will amount to taking the services out of small communities like Red Lake or Dryden or Atikokan, or out of small communities like Geraldton, Long Lac and Manitouwadge, and centralizing and consolidating those services in Thunder Bay.

They already see where this is headed. They already clearly understand that this is on the model of home care, where home care is all about cutthroat bidding. What we’ve seen with home care is that there’s been a deliberate effort, through the cutthroat bidding that has gone on there, to drive down the wages, to drive down the benefits, and to do away with the pensions of the health care providers who are providing home care. The only question that is asked in that process of cutthroat bidding is, “Will you do it for less? Will you work for less? Will you work longer for less? Will you do away with a pension? Will you give up your benefits package?” That’s what’s gone on with the cutthroat bidding in home care. The McGuinty Liberals are going to smile, look into the camera and say, “Oh, we’d never do that,” but that’s

exactly what is being put down here. So the question that will be asked in the local hospitals is, “Well, you know what? We can consolidate this service in Thunder Bay and privatize it. You know, the cleaners there will work with no pension, no benefits. They’ll work for almost minimum wage. And we can centralize the food service. We can centralize it with an outside private agency where the workers have no job security, where they have no pension, where they have no benefits, but they’ll work cheap. They’ll work really cheap.” That’s what this is about. Health care provider after health care provider came to the committee and pointed this out. That, I think, is the really telling point.

From the perspective of northwestern Ontario, I think people understand what’s going on. This is about taking the services out of local communities and centralizing them. This is about moving away from hospital workers who work in the community, who are dedicated to the community, who care about health care in the community, and replacing them with private health care corporations who are only interested in one thing: How much money they can make, how low they can screw the wages and how low they can screw the benefits. As for the quality of care, that’s not even secondary; that’s not even tertiary. That’s where this is headed.

I also want to say a few words just in respect of the First Nations, because in the part of northwestern Ontario that I’m from, the First Nations feel totally left out. I just want to read into the record some of their submissions to show you that this government has the gall to say that this is going to respond to local concerns; this is going to respond to local communities. I want to read into the record how this government totally ignored the First Nations, treated them as if their local health concerns don’t even exist, because I think there’s a warning sign there for everybody else.

The Ontario chief appeared before the committee. This is what he had to say: “In June of 2005, Ontario shared its newly developed aboriginal policy titled Ontario’s New Approach to Aboriginal Affairs. To quote from the document”—and I will quote it—“Ontario recognizes that First Nations have existing governments and is committed to dealing with First Nations governments in a co-operative and respectful manner that is consistent with their status as governments. Aboriginal peoples will have greater involvement in matters that directly affect their communities, including where applicable in programs and service delivery.”

Do you know what that was? That was the McGuinty Liberals staring into the camera, saying, “Oh, we’d never do this to you. We’d never do this.” But then the chief says, “In relation to First Nation health services and programs, Ontario’s new approach has yet to be implemented.

“The government has demonstrated its refusal to honour and fulfill its legal duty to consult. The duty to consult and accommodate was confirmed by the Supreme Court of Canada in Haida. Had this important duty been respected, the provincial government would have both

honoured First Nation governments and fulfilled its own statement of intent. With regard to health initiatives, the provincial government has continually neglected to fulfill that legal duty to consult. Bill 36—the LHINs bill—“is not the first piece of legislation this government has pushed through the Legislature without first embarking on adequate consultations with First Nations. Meanwhile First Nations continue to fulfill their obligation to work in good-faith negotiations.

“The local integrated health networks ... were implemented and created without consultation with First Nations, even before the bill was tabled. First Nations were not notified of these developments until a letter was received from the team lead, community of the Ministry of Health and Long-Term Care, dated March 24, 2005. Given the significance of the LHINs, mere notification is not acceptable in this instance. A letter does not constitute meaningful consultation. The letter was an invitation to attend a meeting to discuss the LHINs and aboriginal health service concerns.”

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They go on to say, “Instead of acting honourably by consulting with First Nations before considering changes adversely affecting First Nation treaty and aboriginal rights, the provincial government disrespected the appropriate relationship between the crown and First Nations by choosing to [put] First Nations at the tail end of the process. Conducting business in this manner does not meet the legal duty to consult,” nor does it do what the government promised.

That’s the warning for other people: The McGuinty government is prepared to look into the camera and smile and say, “Oh, no, we would never do this.” But as the First Nations bear witness, that’s exactly what they will do. It’s exactly what they’ve done to the First Nations.

I want to continue to quote from the Ontario chief: “The First Nation task force met with Deputy Minister Sapsford on November 4, 2005. Both sides of the table were clear that this meeting was not to be considered consultation. However, the deputy minister did state that community consultations on the LHINs would be taking place during second reading stage of the bill. It should be noted, however, that regional community consultations do not satisfy the crown’s legal duty to consult First Nations. The First Nation task force was also assured during this meeting that the health services provided under the aboriginal healing and wellness strategy ... would not be integrated into the new LHIN system. This assurance was not confirmed by the bill. The purpose of the meeting was to provide basic information regarding the policy direction behind the LHINs legislation, to be tabled by the end of November. There was a commitment that the province would continue to work with the First Nations task force in regard to amendments.

“First Nations were not contacted before the bill was tabled and, therefore, were not given the time to submit our proposed amendments before the bill began the legislative process. That is why First Nations are here today,” talking about the committee stage, “to make a

presentation critical of this process. Tabling of Bill 36 did not fulfill the provincial government’s “legal duty to consult First Nations. The Supreme Court in *Haida* stated that the duty of consultation is triggered when ‘the crown has knowledge, real or constructive, of the potential existence of the aboriginal right or title and contemplates conduct that might adversely affect it.’ The minister, the ministry and the deputy minister has real or constructive knowledge that LHINs legislation had the potential of affecting First Nations rights and interests. Tabling of Bill 36 before consulting with First Nations and accommodating our interests and rights disregarded the legal obligation to consult and was not consistent with the honour of the crown,” nor was it consistent with what the McGuinty government said directly to First Nations.

The Ontario chief goes on: “When the First Nation leadership became aware Bill 36 was tabled for first reading, a letter was sent to Minister Smithers, dated November 28, 2005, making the following points, among others: (1) First Nations were not satisfied that they were appropriately consulted by Ontario in the development of the LHINs project; (2) First Nations are concerned that the LHINs project is a threat to First Nation health care and health jurisdiction; (3) the development of the LHINs project is not consistent with the spirit and intent of the health blueprint; (4) finally, matters such as LHINs should be managed on a government-to-government basis” as the government promised. “First Nations are not mere stakeholders, but have been treated as such in this process. First Nations have been repeatedly recognized by the Supreme Court as having a special relationship with the crown that must be respected and considered in legislative change. The letter also included appendices which outlined some of the amendments recommended by First Nations.” These amendments were made available—the amendments are important, because the government voted down every one of the amendments put forward by First Nations.

The chief goes on: “The already established LHIN boards and the LHIN legislation will have significant impacts on First Nations health services. Initial research of the 14 LHINs, done by the Chiefs of Ontario office, indicates that 69 First Nation communities are specifically included in their jurisdictions. It should also be noted that 65 First Nation communities are not listed under the jurisdiction of a LHIN. However, First Nation health service providers are still affected even if they include First Nations not within a LHIN mandate. This research signifies that the LHINs have significant impact on First Nations jurisdiction, treaty and aboriginal rights. The First Nation task force identified seven areas that raise concerns and issues.”

They listed them: governance and accountability was one of them; health system planning and evaluation; service delivery coordination and integration; human resources and staffing; northern issues; the role of Health Canada; and community engagement. These were all areas where First Nations wanted to talk to the government of Ontario, wanted to talk to the McGuinty

government. The McGuinty government had promised that they were going to talk and consult. Do you know what happened? After saying, "We promise to consult," after smiling and looking into the camera, saying, "The McGuinty government promises to consult," First Nations got the elbow in the face from the McGuinty government.

I want to go on, because the chiefs didn't stop there. They again tried to engage the government. On February 9, 2006, the executive assistant to the grand council chief of the Anishinabek Nation wrote to the chair of the standing committee on social policy and made the following points:

"The Union of Ontario Indians are concerned that the province of Ontario has failed to properly consult with the First Nations of Ontario on this sweeping legislation that has a genuine possibility of impacting negatively on the aboriginal, inherent and treaty rights in health of every First Nation member in the province of Ontario."

Then they go on to state, "In conclusion, in Regional Chief Angus Toulouse's response to Minister Smitherman of February 9, 2006, he echoed the sentiments of the First Nations task force, that the development of the LHINs is not in keeping with the national health blueprint and that the present amendments as received by members of the task force are not acceptable."

What he's saying here is that the government said, "Okay, we recognize we didn't do right. We're going to send along some amendments," and the First Nations rejected those amendments and said, "This is not going to fix it." Notwithstanding that, the government proceeded. The First Nations sent in some amendments. The First Nations said, "If you're really interested in our point of view and if you're really interested in our local communities, please adopt these amendments."

I want to read the amendments into the record.

The amendment on aboriginal rights:

"2.1 This act does not abrogate, derogate from or otherwise affect,

"(a) any aboriginal or treaty right that is recognized and affirmed by section 35 of the Constitution Act, 1982; and

"(b) the fiduciary obligation of the government of Canada to provide quality health care to First Nations peoples."

Aboriginal people wanted this included in the bill. What did the government do? It refused.

The aboriginal people wanted a second amendment:

"'First Nations programs and services' means all existing and future health related programs and services directed primarily at First Nation communities and citizens, including, without limitation, those programs and services funded in whole or in part under the 1965 welfare agreement, and those programs and services funded in whole or in part by the federal government of Canada."

In other words, aboriginal people wanted to ensure that some of their health services wouldn't be integrated out of existence, wouldn't be consolidated or centralized.

Did the government support First Nations on that? No. McGuinty government members voted against that amendment.

The First Nations put forward another amendment, hoping that their local interests would be recognized. After all, the government has the gall to call this local health integration. The First Nations asked for this amendment:

"Delivery of aboriginal health care

"2.2(1) Nothing contained in this act and no action taken under this act shall be interpreted to or have the effect of removing responsibility for the delivery of health services and programs that are directed primarily at First Nations peoples from the ministry and transferring it to another person or entity.

"Same

"(2) Despite subsection (1), a First Nation and a local health integration network may, with the consent of the ministry, enter into an agreement by which all or part of a health service or program that is directed primarily at First Nations peoples be administered or delivered, with respect to the First Nation entering into the agreement, by the local health integration network."

So they basically wanted to ensure that health services directed primarily at First Nations people couldn't unilaterally be consolidated, centralized or otherwise integrated or done away with. The government calls their bill caring about local health. Did they care about local health of First Nations here? No, they voted against that too.

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What finally happened is this: The grand council chief of the Anishinabek Nation finally wrote a follow-up letter to the Minister of Health on February 16 and said that because the government didn't make your own promise of consulting First Nations, because you've defied even Supreme Court judgments, because every time we have tried to participate in this, you have voted against us or have excluded us—here was the First Nations' response—"Therefore, if Bill 36," which is the LHINs bill, "is passed and given royal assent, the Union of Ontario Indians will seriously be contemplating a constitutional challenge through appropriate legal challenge."

The McGuinty government has the gall to say that this is about enhancing, building and paying attention to local health initiatives and local health concerns. Here we have the First Nations, which tried to get their health concerns looked at, their health concerns considered, and at every stage the McGuinty government shut the door in their faces. Where are they at now? First Nations have to consider a constitutional challenge, a legal challenge, to have the McGuinty government just come and actually consult with them.

I say that there is a warning bell here for communities across Ontario. What has happened to First Nations here, what the McGuinty government has done to First Nations in terms of slamming the door in their faces any time they've tried to raise issues—their local concerns, their

health concerns—is something that every community in Ontario ought to be on the watch for.

I repeat again: This bill is not about improving health care services. This bill is about putting in place a mechanism whereby the McGuinty government can privatize the delivery of more and more health care services, where the only question they'll ask is, "Can we pay less? Can we pay less to this worker? Can we pay a lot less?" That's the focus and objective of this bill.

The Acting Speaker: Questions and comments?

Mrs. Liz Sandals (Guelph–Wellington): I would like to respond to a few of the topics that have been raised by the leader of the third party. One is this whole idea that consolidation of services is always bad. I don't know about the member, who comes from an area of the province where there are very diverse, small communities, but I come from an area of the province where there are a number of rural communities, and not all of the services are available in every one of those communities.

In my part of the province, in Wellington county, in fact our hospitals, our CCAC and our community mental health clinic already voluntarily work together to do exactly the work the LHINs will be doing throughout the province. They sat down together and planned how to most efficiently and effectively deliver services to make sure that all the people in Wellington county had equitable access to the services that were available. What we are doing is simply saying to all the areas of the province that you need to do what is happening in my area of the province already, voluntarily.

The next thing the leader of the third party has spoken about is the fact that somehow there is a perception that this necessarily leads to job loss. In fact, it states right in the bill that where there are consolidations of organizations taking place, if that affects employment, it will be governed by the Public Sector Labour Relations Transition Act.

I happen to have had some experience with that act, because it's the act that governed the amalgamation of school boards. I want to tell you that under that act, nobody's salary went down, in fact it tended to go up, and no unionized member lost their right to be unionized. Now, some of the unions were unhappy because when there were competing unions, sometimes they lost members, but every unionized member—

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I certainly learned a bit from the impassioned presentation from the member for Kenora–Rainy River. I have also received communications from the First Nations community, and one of their very important concerns is that the legislation would inadvertently undermine their existing and any future health care programs they may negotiate with either the provincial government or the federal government. I travelled a bit in northwestern Ontario. I sat on a committee with the member. There seemed to be a myriad of complexities to try and ensure—just in the health care system alone, in the hospital system—that native people would get their due and be able to override some of the confusion that can occur between the federal and the provincial government.

I received a letter from Grand Council Chief John Beaucage, Anishinabek Nation, and this was copied to both to the Minister of Health and the Premier of Ontario. They seem to really have derision for this phrase "a new relationship," and the promise of a true government-to-government relationship between First Nations and the province. They are very concerned, it's even unfortunate, that the government did not heed the request to delay the tabling of the legislation until official input from First Nations could be received. I take this letter seriously. I represent not only New Credit—the Mississaugas are part of this group—I represent Six Nations, which has at least 10,000 members. That's the largest native community in Canada.

Ms. Horwath: It's really important that we take heed in terms of the issues raised by the member for Rainy River. I heard this in my community last week as well. It's not just First Nations in Rainy River, in that riding, and it's not just First Nations communities in Brant; it's First Nations communities across the province that are concerned not only about this specific legislation, but the extent to which this government refuses to engage them in a respectful dialogue around the laws in this province and how they affect their communities.

We saw this happen first off with Bill 210. At least that minister had the common sense to spend a little more time trying to figure out what they were saying and what their concerns were, and they made some amendments to that bill. But here we have another bill, dealing with the health care of these communities, and this minister is not prepared in any way to acknowledge that there are concerns out there. That's simply unbelievable. It's unfathomable. I think the previous speaker actually said something about the government inadvertently is going to affect these services. I don't think it's inadvertent at all, because if it were inadvertent it would be fixed by now; but it's purposeful. That's the thing that's problematic. That's the issue that is so important that we bring it forward and that the leader of the NDP brought forward in his remarks, because this government, notwithstanding its promise to create a new relationship, a new dialogue with the First Nations community, is failing in a miserable way. Now, in the context of LHINs, we have the same kinds of frustrations coming forward. Get the message: Deal with the issues and live up to your promise of a new relationship with First Nations.

1720

Ms. Wynne: I just want to preface my comments by saying that I'm not a lawyer, but Mr. Hampton is, so he should know that the issue of a non-derogation clause, which is what he was bringing forward as one of the requests from the First Nations community, is not something that finds its way into provincial legislation. That conversation went on in a series of meetings between the First Nations and the minister and the minister's staff. There was a series of meetings—

Mr. Hampton: That's bullshit.

Interjections.

The Acting Speaker: I have been informed that unparliamentary language may have been used. If the

member did use unparliamentary language—I must say, I did not hear it.

Mr. Hampton: If I said something unparliamentary, I certainly withdraw.

Mr. Richard Patten (Ottawa Centre): On a point of order, Mr. Speaker: The member behind me only has two minutes. It's about 20 seconds—more than that—about 30 seconds gone on the clock.

The Acting Speaker: Please add 30 seconds on. Thank you.

Ms. Wynne: I was in the middle of saying that this minister had a series of meetings with the First Nations community. He asked them to come forward with amendments. The bill was amended to require that LHINs engage the First Nations community in their geographic areas on issues of health care coordination. That's in the legislation. That means that the First Nations groups around the province are going to have an automatic role in the planning of the health care system in those areas. I think that's the critical piece.

There's no doubt that there's a complicated, dual-jurisdictional issue around First Nations health care, but what we've said in our provincial legislation is that the local health integration networks must consult with and must take into account the issues that the First Nations bring forward; likewise with francophone communities.

So I think, far from slamming the door, the series of meetings that Minister Smitherman and his staff had with the First Nations community—although, granted, not everything that the First Nations community nor the francophone community nor any of the people who came to speak to us wanted was in the bill in the end, but the 53 amendments that we put into the legislation went a long way to addressing the issues. We didn't slam the door, we opened the door, and we will continue to consult as the planning goes forward.

The Acting Speaker: The leader of the third party has two minutes.

Mr. Hampton: I'll repeat my earlier comments: bull feathers. If the member would care to look at other Ontario legislation, you will find a lot of non-derogation clauses, but the truth never gets in the way of the McGuinty government. We have lots of legislation in this province that has non-derogation clauses in terms of First Nations.

I think, once again, they missed the point. The First Nations are so angry, so upset at the degree to which the McGuinty government first promised to consult them and then slammed the door in their face that they're going to do something that they hardly ever do: They are considering a constitutional challenge. Do you know what a constitutional challenge costs? Do you know what it involves in terms of complications and complexities? Organizations only take constitutional challenges when they feel that they've been totally ignored and totally disregarded. That's where First Nations are in this province today, and yet the government representative says, "All is fine and wonderful."

When First Nations are going to take a constitutional challenge against the McGuinty government, my point is

that other people in Ontario ought to take notice, because First Nations, by and large in this province, have terrible health services. They are very seriously underserved in terms of health care and health services. Yet, what they see from this government is no consideration whatsoever of their local interests, of their community interests or of their collective interests. I simply say to other people across this province, if First Nations have been disregarded in this way, watch out when it comes to your local community.

The Acting Speaker: Further debate?

Mr. Ramal: It has been an interesting debate all this afternoon. We've been listening to many speakers this afternoon, and everyone has a different story, but being in the committee since this started, I learned a lot. We listened to a lot of people. As a matter of fact, as my colleague the member from Don Valley West said, our government members extended the time for consultations from four days to seven days to listen to more people. We went to London, Ottawa, Thunder Bay, Toronto; to many different areas. We listened to all the people who wanted to speak to us or to send to us a presentation about their concerns.

We were open about it. We listened carefully. That's why it took us a long time to listen to all the people who came before us and told us their stories about their concerns. But for some reason, the third party wants to continue raising issues and twisting the facts, which are all about the bill and what the intent of the bill is. The intent of the bill is the consolidation of health care service in Ontario. As my colleague mentioned before, we want to continue to have publicly funded health care. We want to continue to be able to afford publicly serviced health care to all the people of Ontario. We cannot afford it without consolidation, without working together in order to have efficient, accountable health care for all the people in this province. We cannot afford the waste anymore.

We listened carefully. That's why we had amendments to the bill. We changed about 52 elements of the bill. We listened—

Mr. McMeekin: Fifty-three.

Mr. Ramal: Fifty-three; thank you to the member. Fifty-three, and 10 of them came from the opposition parties: eight from the Conservatives and two from the NDP. That's why we are listening. That's why we want to listen to people and to the third party leader. Mr. Hampton was talking about the native community in this province. We listened to them; we consulted with them. The minister constantly listened to the aboriginal community, listened to their concerns. We addressed their concerns and we continue to listen to them and to consult with them on all the various issues concerning their health care and the health care of the people of Ontario.

This bill is about accountability. This bill is about delivering good health care to the people of Ontario. I listened to the member from Erie-Lincoln talking about many different things and interpreting the bill the way he wants. The fact is, we want a good health care service.

We want to maintain the health care service in the public domain. That's why we brought this bill forward. That's why we want to continue fighting to pass this bill, because this bill is a very important element of our health care in this province.

I know the Conservatives are not opposed to privatized health care, but we are. It was stated clearly by the Minister of Health when he addressed the committee on the first day, when he said, "This bill is about maintaining public health care in the public domain, not about the privatization of health care." We want to continue maintaining it in the public domain because this is about the Liberal Party and this government maintaining our health care in the public domain.

So many people have some kind of misinformation about this bill. So much fearmongering went on, beyond and after and still, about this health care. They said, "This is about the privatization of health care." I want to say, from this place, as the Liberal government of Ontario, we want to work and we're going to continue working to maintain our health care, publicly funded and publicly delivered for the people of this province.

I want to say to all the people that we care about the people of the province. If we didn't, we wouldn't work on this bill. Because we care about public health care, we brought in this bill: in order to consolidate the service, to work together and to listen to other people.

I listened to many people saying, "This is not about accountability. This is not about local health care integration." Before, all the delivery of health care was done from this place, from Toronto. Now we'll break it up into 14 units in order to engage every part of this province, to engage local communities, to listen to their concerns, to listen to them in order to enhance their health service delivery. I know many people said, "Wow, my LHIN is huge," and, "My LHIN is bigger than any other country on the globe," but I want to tell those people that we broke it up, and instead of all the services being delivered from Toronto, they will be delivered from 14 different locations. Also, all the people can reside in their local areas and local communities.

1730

Mr. Peter Kormos (Niagara Centre): Do you think that's something to brag about?

Mr. Ramal: We're not going to brag. We're talking the truth, but sometimes the truth hurts. Nobody wants to listen to the truth. The truth is that our government committed before the election and continues to commit to the people of the province of Ontario to maintain our health care—publicly funded, publicly delivered—for all the people of this province. We are saying it against the privatizations. We are continuing to fight for publicly funded health care. That is why Bill 36 came. Bill 36 is all about publicly funded health care, about commitment to service and about enhancing the service for the people of Ontario.

The Acting Speaker: Questions and comments.

Mr. Arnott: I want to respond to some of the comments that I heard from the member from London—

Fanshawe, because he and I both had the opportunity to serve on the social policy committee, debating and discussing Bill 36. We heard from quite a number of people.

I was hoping to have the chance to speak to Bill 36, but it appears that time may be running out. But I want to relate to the House a little story. When I was first elected to the Legislature in 1990, I had an opportunity to meet with the Palmerston hospital administrator. The man's name was Bob Emmerson. One of the first things he brought to my attention was a report that had been commissioned by the outgoing Liberal government that recommended regional health authorities. This was back around 1990-91. He said to me, "You should be opposed to this if you are going to represent our area, and the reason is very simple. If the provincial government sets up regional health authorities, they will be powerful in name only." He said to me that in his opinion, the Ministry of Health would never, ever give up final decision-making authority, that the head office—the Ministry of Health—would never, ever give up final decision-making authority in terms of health care allocations, and as such, regional health authorities would be nothing more than a new layer of health care bureaucracy.

I think that is exactly what we're seeing 15 years later. Here is this Bill 36: local health integration networks. For whatever reason, the government doesn't want to use the term "regionalization" or "regional health authorities," which is really what these are. We're seeing a new level of health care bureaucracy that is being established at great cost to the taxpayer that does not in any way increase the number of doctors, does not in any way increase the number of nurses, does not in any way increase the number of MRIs, does not in any way increase the number of CT scans.

The government has yet to make the case as to how this bill will benefit patients and the people who need health care in the province of Ontario.

Mr. Kormos: I listened carefully to the comments by Howard Hampton, leader of the NDP, and then I listened as carefully to the comments of Mr. Ramal from London—Fanshawe. I found it amazing that Mr. Ramal, who seems to be enthusiastic about Bill 36, used but seven minutes of the 20 minutes available to him to say so. I would have thought that if Mr. Ramal, like other Liberals, were so enthusiastic about Bill 36 he would want to take us through the bill section by section and tell us about how these mega-LHINs, how this super-sizing, is going to create more accountability. I would have thought he would use all of his 20 minutes to tell us how these mega-LHINs, with hand-picked government appointees, are going to allow for more intimacy with the grassroots of the community. I would have expected this Liberal member to use his 20 minutes. He only used seven—Mr. Ramal, the seven-minute man. I would have expected him to use the 20 minutes to explain to us how unaccountable, hand-picked, government-directed LHINs, which embrace bizarre and artificial political boundaries, are in any way going to help folks in Niagara get more health care beds, are in any way going to help

folks in Niagara get beds for adolescent mental health care, how they're in any way going to help maintain—not just maintain and sustain but build—public services, rather than follow on the Harris-Eves-Tory path of competitive bargaining and their destruction of home care and CCACs. I would like to have heard that.

Ms. Wynne: I say to the member for Niagara Centre that the way that's going to happen is that the people on the local health integration network boards are going to know Niagara. They're going to know the services, they're going to know where the gaps are and they're going to feed that information into a plan that's going to coordinate those services.

I completely agree with the comments of the member for London-Fanshawe that what this legislation is about is creating a sustainable health care system and putting a structural change in place that will do that.

I want to go back to something that was said by the member for Rainy River about the minister's meetings with the First Nations. I just want to put on the record that since February 2005 this minister has met five times with First Nations chiefs, and he's going to meet with them again. Between those meetings, there has been a dialogue and there have been recommendations presented to the minister. So there has been a back and forth; there has been a discussion. Those meetings have been ongoing for a year, and those discussions will continue. As I have said, the legislation has been amended to require that there be consultation with First Nations communities as part of the LHIN process. That's something that doesn't necessarily happen now, so that's an improvement on the system in terms of communication with the First Nations community.

I think it's really important to acknowledge that this minister has gone out of his way to make sure that communities that need to be involved in an ongoing way are involved, and that that dialogue doesn't leave anybody out. No matter whether it's in northwestern, northeastern or southern Ontario, those groups who need to be consulted will be consulted. It's part of the legislation, and no local health integration network board is going to be able to duck that responsibility. That is required by the legislation.

Mr. O'Toole: Just listening to the remarks by the government backbenchers, there are three sections here—I encourage the members to read them—that are fundamentally critical to the understanding of this bill. One is section 28, which deals with the ability of the minister; also section 33, as I described in my earlier remarks.

Section 36, with respect to comments raised by the previous speaker, is worth putting into the record. It says, "The Lieutenant Governor in Council may make regulations ... respecting community engagement under section 16, including how and with whom a local health integration network ... provider shall engage the community, the matters about which" to consult, how often, what issue and the frequency. So the minister has absolute, draconian powers—dictatorial powers centralized with George Smitherman.

If I may, earlier the member from Kenora-Rainy River made some very good comments, not just on the derogation issue with respect to First Nations dialogue, but he tried to quantify or visualize the size of the LHINs. They're anything but local. If you look at the central east LHIN, which is my riding—I'm going to briefly describe this—it actually goes from around Queen's Park to Algonquin Park. It's just huge. It has over a million people. It's larger than most provinces: larger than Nova Scotia, larger than New Brunswick, larger than Newfoundland and Labrador; larger than the three of them put together, and you call it local? I hope you meet one of the board members at the grocery store, because it ain't happening.

Our LHIN, central east, is headquartered in Ajax. According to the Ministry of Health and Long-Term Care website, central east has jurisdiction over 16 hospitals, 70 long-term-care facilities, four community care access centres, three community health centres, two children's treatment centres, 25 mental health agencies, 50 community support services and five addiction centres. A map of central east is attached. It's huge. This is anything but local, and I am afraid the government members simply don't understand the legislation.

The Acting Speaker: The member for London-Fanshawe.

Mr. Ramal: I don't need more time to speak about the bill, because my colleague and the minister spoke eloquently about this bill in detail and stated what the bill is all about—the aim of the bill. I know the member opposite likes to stir the pot and create some kind of fear-mongering in the communities, but the bill is obvious and clear. It's about consolidating the health service. It's about breaking the silo from one to 14, to engage many different communities, to reach the north, the west, the east and the south. It would engage everyone. This is the intent of the bill.

1740

I know the member from Durham doesn't want to understand the situation by referring to sections we have already amended. They have been looked after, changed, and he is still referring to them.

We listened to many different people. The authority of the Minister of Health doesn't increase or decrease in this bill. The bill is all about consolidating service in health care. It's not about this person or other persons; it's about putting it together. All this information being fed to the people of Ontario is wrong. This bill has one goal: the consolidation of health care and engaging in various communities. Listen to the people of Ontario, and maintain health care service in the public domain. That's why we are bringing this bill forward.

We know we have a problem in health care. We know we cannot afford to keep increasing the budget for health care in the future. Since our population is aging on a daily and on a yearly basis, we have to find a way to manage our health care spending.

This bill, if this bill passes, will help every Ontarian to be comfortable for their future. Health care will remain

publicly funded and controlled. All this information that has been fed by my friends from both sides, the NDP and Conservatives, is wrong. It's about publicly funded, owned, controlled—

The Acting Speaker: Thank you. Further debate?

Mr. Barrett: I also would like to address Bill 36, the Local Health System Integration Act. I'll follow a number of themes and reasons on why I feel there are some flaws, not only with the legislation but in the way this process is rolling out.

First of all, it's the irrational size. I'm in LHIN 4. That's over 1.3 million people; that's about 10% of the population of Ontario. The very strange divisions: One of the counties I represent has been severed by a boundary between LHIN 4 and LHIN 2. I suppose they assume it's farm country, it's a rural area and we can cut that one in half.

I'm also concerned with any potential negative impact on the smaller hospitals in my rural area. There were concerns raised by the Ontario Hospital Association as well. They proposed amendments—I'd like to touch on them. And as we heard earlier this evening, there is the perceived neglect of First Nations communities with respect to this whole process.

We hear the description of these LHINs as being local. If you look at the Oxford dictionary, there are a number of options or ways of defining "local": "Relating to a particular area; relating or belonging to one's neighbourhood; relating to a particular region." I understand the government is shying away from the use of "regionalization" or "regional health."

We must ask whether or not it would be accurate to give these unelected, bureaucratic entities any of the following names. Are the health systems relating to a particular area, health systems belonging to one's neighbourhood? Being a rural member, I really have problems getting my mind around a neighbourhood of 1.3 million people or health systems relating to a particular region. I think any of these definitions is a stretch—laughable, if you will—considering that these networks and the boundaries contained therein are essentially huge.

I own a farm in Norfolk county. That places me in local health integration network 4. Just across the way, in the county, I own a hunting property. That puts me in southwest health integration network 2. At least I think it does, looking at the map. It's really not that far for me to go from one of my properties to the other. But if I take a look at the north-south boundary between the two LHIN districts, I see that, in fact, the map that I have doesn't, for some reason, stretch out into Lake Erie and doesn't indicate just where Long Point is dissected. Long Point is a spit of land that goes out almost to the international border in Lake Erie. If I see a projection of this boundary on the west side of LHIN number 4 and continue out into the lake, it cuts Long Point in half. I own land on the end of Long Point. I'm not sure whether that is in LHIN number 2 or in LHIN number 4. I consider my pieces of property in the local area; the Minister of Health does not, obviously.

Again, I wonder if there can be a danger, if boundaries are drawn in Toronto, or perhaps a regional centre in Hamilton, whether it really is understandable when it gets down to the local level. In my part of Ontario, I suppose 50% of my constituents have rural route numbers identified by local village and, of course, a postal code. I think of the Silver Hill area. People along that road and in the area of Silver Hill all have exactly the same address, but these people are divided between two different local health integration networks. I kind of get a kick out of this map. I look at towns like St. Williams and Port Rowan; they're hooked up to the same water tower, but they're not in the same health network.

I'm not saying this facetiously. I do have some concern. I have some concern for the administration of Norfolk county. In fact, I received a letter of concern from county staff. Look at LHIN 4, the 1.3-million LHIN. It's a neighbourhood of Burlington in the north, Delhi in the far west and Fort Erie down in the east, by the New York border. Those are certainly not as local as towns like Turkey Point and Long Point, which are on Lake Erie. Those two towns are in completely different LHINs.

The second point I wanted to make: the concern that I have, again with Norfolk county, that it has been divided into two networks. It's a single county; it's part of a single electoral riding. I consider it a single community of interest; it certainly is with respect to agriculture and soil type. That being said, it has been cut into two separate networks. I can partly understand this because farther down the road in Tillsonburg we do have Tillsonburg District Memorial Hospital. I can understand a division made on hospital catchment areas, but they have missed much of the catchment. Many people in Port Rowan, I am told, do not relate to the Tillsonburg hospital, even though they're in that new district. They access their health services, and have since the 1920s, at Norfolk General Hospital.

Also, in contrast, many people in the Delhi area do not go to Simcoe. They have more of an affinity with Tillsonburg, which is on the other side of this new boundary. I'm concerned about the confusion, let alone added confusion that could be difficult for the new bureaucracy, in addition to the existing bureaucracies, to get their head around, and to what extent that will lead to waste and duplication. Is the end result positive? Time will tell.

I have questions. I have concerns with respect to municipal emergency planning in a county that is dissected by this boundary—a boundary where one would hope that Norfolk would have been within the same single network. I know the county would like an answer to these kinds of questions.

1750

It's not just Norfolk county, which, as we know, has such a large land, which includes Halton region, as I understand it, Hamilton and certainly Burlington. I'll quote a concern from the member for Burlington. He wrote a letter recently to his local newspaper. "Integrated health and social services in Halton region could be

compromised because Burlington receives services from one LHIN which stretches to Niagara”—that would be LHIN 4—“while all other Halton residents’ health decisions are made in Mississauga.”

Again, has the minister realized the concerns in some of these communities, lumped in with larger centres? I think of West Haldimand General Hospital. Will it be overshadowed by the very major hospitals in Hamilton? I know that the CEOs are getting together to try and coordinate, and there’s nothing wrong with that. I think there’s a move, obviously, to coordinate their information systems. But, again, Hamilton hospitals really have a different quality or catchment of culture from what you would see in a small rural hospital in Hagersville or Dunnville.

I could go on about this. I will indicate that LHIN 4 has 12 hospitals: our area hospitals, Norfolk General Hospital—Tillsonburg is an area hospital but it is not in the LHIN—Haldimand War Memorial Hospital in Dunnville, West Haldimand General Hospital in Hagersville. We had quite a fight a number of years ago to keep those two hospitals open.

I think of the Dunnville community meeting. It was held in the local legion. I was asked to speak. There were, I would say, thousands of people there. I never got into the legion. I ended up crawling up on the back of a truck to do my speech. Tractors, of course, are one indication of when the community in a rural community is upset. A lot of tractors came out. We kept Dunnville open. We kept Hagersville open. In a sense, I think I’m firing a warning shot across the bow that we do not want to see this restructuring used as a means to an end of any type of threat to the small hospitals in our area. We’ve seen what’s happened to Willett Hospital quite recently under this government’s watch.

The member for Burlington made mention of his hospital, Joseph Brant Memorial Hospital: 48 beds have recently closed. That’s 25% of the acute care beds at that hospital. We’re in the same LHIN as that hospital. That’s reason for concern by people within my riding of Haldimand—Norfolk—Brant, a riding, as I mentioned earlier, that also includes the Mississaugas of the New Credit and also Six Nations. I do join my colleague from Burlington when he points out, “McGuinty promised transparency and openness, but has threatened hospitals not to talk about these health cuts to the media and the public.”

With this government rolling around in what I consider a flood of money from the newly introduced health tax—we knew there was a promise of no taxes in the last election—certainly with this kind of cash extensively rolling into the health care system, people in my area would certainly expect better.

Another question for the minister: Can he be sure that the new health care bureaucracy does not divert funding away from smaller hospitals in favour of the larger ones? For the larger hospitals, there may be a vested interest to support the smaller ones to keep them open, but to ensure that so many services continue to gravitate to the larger

centres. It’s like our university system. We have a very centralized system of hospital care and specialized health care in this particular province; hence, one of the reasons we have difficulty attracting nurses, doctors and other health professionals to rural areas. Again, we want to know if there are safeguards in place.

The president of the Ontario Hospital Association had concerns and put forward a number of amendments. I’m not sure where these amendments ended up. Number one, they felt this government needs to provide a definition for the word “community”—I alluded to that earlier—and hopefully, they can come up with a definition that recognizes small communities.

The Ontario Hospital Association feels this government needs to provide a definition of “public interest.” These health bureaucracies will be charged with the task of acting in the public interest, but as yet there does not seem to be a solid definition.

The Ontario Hospital Association argues that due process needs to be introduced into this legislation. The association points out that the minister has the ability to impose decisions without following a defined process. Until these kinds of changes come about, the association believes that not only the health providers but the communities they serve will be left without a real say or influence in many of these vital health care decisions.

Another question: Who will be given real power if communities and the health providers are voiceless? We have certainly heard the accusations that it will be unelected members of what can develop into very large bureaucracies. Very large bureaucracies, on occasion, can be prone to making ineffective or downright bad decisions.

Earlier this afternoon, we heard considerable debate and some very interesting points made by the member from Kenora—Rainy River with respect to aboriginal concerns. I would like to quote from a letter. It was sent to me and copied to the Premier and the Minister of Health. It was written by the grand council chief of the Anishinabek Nation:

“The government of Ontario has committed itself to establishing a new relationship with aboriginal people in Ontario. However, during our meeting with Minister George Smitherman this fall”—the letter was written on December 5, 2005—“it is clear that he is not willing”—this is the Minister of Health—“to understand First Nations concerns on this matter. With this bill moving forward at an alarming pace, we assert that the government as a whole is not respecting First Nations concerns or the protection of our inherent rights. This does not bode well for the so-called ‘new relationship.’”

I am concerned about this. The chief is speaking on behalf of a number of native groupings: Algonquin, Ojibway, Chippewa, Delaware, Mississauga—I represent the Mississaugas of the New Credit; that’s a reserve just outside of Hagersville—Odawa and Potawatomi.

The grand council chief goes on to point out:

“First Nations are very concerned that the legislation will inadvertently undermine existing and future First

Nation health care programs and services. Some of these programs and services are funded wholly by the provincial government and others are funded in whole or in part by the federal government.”

I'm not clear to what extent the Minister of Health has given this consideration. I'm not sure to what extent the Minister of Intergovernmental Affairs has taken this into consideration. Has this been discussed with the minister responsible for aboriginal affairs? I am not sure to what extent federal counterparts have been involved in the discussion of this bill. I feel this is very important.

I look to you, Speaker, for direction on the time, but the reason I—

The Acting Speaker: Please finish. It's only a minute—

Interjections.

Mr. Barrett: Thank you, Speaker. I don't know what's going on across the way, but I would love to speak.

Right now, I feel I'm speaking on behalf of 10,000 people who are members of Six Nations—we call it the Big Six; It's the biggest reserve in Canada—and, of course New Credit, their smaller cousins.

The grand council chief continues to point out that, “It is unfortunate that the government did not heed the

request to delay the tabling of the legislation until official input from First Nations could be received.

“Given this history, it is not surprising that Bill 36 all but ignores First Nations. There is a brief mention of the role of First Nations in a paragraph of the recitals. However, there is nothing in the body of the bill that acknowledges or protects First Nation programs and services.”

Those aren't my words; they're the words of the leadership of one of Canada's First Nations.

To sum up, as we've seen, there's nothing local about our local LHINs. Instead, we see the creation of 14 ministries of health care. I don't think any of the 14 has a business model as yet. The legislation demonstrates this government's lack of planning, particularly for rural Ontario. I use the example of Norfolk county. It represents a potential threat to the small, local hospitals, and it proves that our health care partners are being bullied by the Minister of Health. We are getting very little information—I could go on, Speaker.

The Acting Speaker: No, you can't. The time now being after 6 of the clock, this House stands recessed until 6:45 this evening.

The House adjourned at 1802.

Evening meeting reported in volume B.

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(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 22 February 2006

Mercredi 22 février 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 February 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 février 2006

The House met at 1845.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I ask for unanimous consent to delay the start of the evening session until 7:30 p.m., and further that, notwithstanding the delay, the evening session, when called, shall still be considered to constitute a full sessional day.

The Deputy Speaker (Mr. Bruce Crozier): The government House leader has asked for unanimous consent to delay the start of the evening session until 7:30 p.m., and further that, notwithstanding the delay, the evening session, when called, shall be considered to constitute a full sessional day. Agreed? Agreed.

The House is now recessed until 7:30 p.m.

The House recessed from 1847 to 1930.

ORDERS OF THE DAY

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 2006

LOI DE 2006 SUR LE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DE L'ONTARIO

Resuming the debate adjourned on February 21, 2006, on the motion for third reading of Bill 206, An Act to

revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

There being no further debate, Mr. Bradley has moved third reading of Bill 206. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I have been handed a request by the chief government whip that, pursuant to standing order 28(h), the vote on the motion for third reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, be deferred until deferred votes on Thursday, February 23, 2006.

Orders of the day?

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move adjournment of the House.

The Deputy Speaker: The government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until 10 of the clock, Thursday, February 23.

The House adjourned at 1933.

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